URBAN/MUNICIPAL
CA4 ON HBL A05
C51F31
1995

AGENDA OF THE
FINANCE AND
ADMINISTRATION
COMMITTEE
AUG. 29/95

URBAN/MUNICIPAL
CA4 ON HBL A05
C51F31
1995

K. Roberts
CEO/Library

2nd floor

NOTICE OF SPECIAL MEETING

FINANCE AND ADMINISTRATION COMMITTEE

URBAN MUNICIPAL

AUG 29 1995

GOVERNMENT DOCUMENTS

Tuesday, 1995 August 29th
5:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder, Secretary,
Finance and Administration Committee

*** Note: A light dinner of soup and sandwiches will be provided in Room 264 at 4:30 p.m.

A G E N D A

PUBLIC MEETING

The purpose of this Public Meeting is to present the Proposed New Development Charges By-law

1. **CHAIRMAN, REVIEW OF THE DEVELOPMENT CHARGES COMMITTEE**

   Development Charges Study - 1995 By-Law

2. Adjournment

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 August 16

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: L.C. King, P.Eng.
Chairman - Review of the Development Charges Committee

SUBJECT: Development Charges Study - 1995 By-law (95.4.12, 95.2.4.2.1.A)

RECOMMENDATION:

1. Development Charges Policies.

   a) That pursuant to the Development Charges Act, 1989, Development Charges be imposed to recover the growth related capital costs of new development and redevelopment in the City of Hamilton; and,

   b) That the uses of land, buildings, or structures upon which a Development Charge shall be imposed be designated as residential and non-residential; and,

   c) That a uniform city wide Development Charge be imposed based upon providing growth related net capital costs of:

      Indoor Recreation
      Outdoor Recreation
      Parkland Acquisition
      Library Buildings
      Library Materials
      Vehicles and Equipment
      Traffic Signals
      Studies; and,

   d) That a separate Area Specific Engineering Development Charge be imposed to certain designated development areas in the City in order to fairly represent the cost of providing the following services:

.../2

"Received"
App'd by Committee 1995 August 22

App'd by Council .....

Stub Streets
Oversizing of Mid Block Collectors
Extra Depth Asphalt
Services Adjacent to City Lands
Street Lighting
Storm Water Retention System; and,

(i) That the area specific Engineering Development Charges be imposed on the following areas:

1. Greenford Neighbourhood
2. Gershome Neighbourhood
3. Lisgar Neighbourhood
4. Albion Falls Neighbourhood
5. Broughton East Neighbourhood
6. Eleanor Neighbourhood
7. Broughton West Neighbourhood
8. Butler Neighbourhood
9. Chappel East Neighbourhood
10. Crerar Neighbourhood
11. Jerome Neighbourhood
12. Ryckmans Neighbourhood
13. Allison Neighbourhood
14. Kernighan Neighbourhood
15. Mewburn Neighbourhood
16. Kennedy East Neighbourhood
17. Gourley Neighbourhood
18. Sheldon Neighbourhood
19. Falkirk East Neighbourhood
20. Carpenter Neighbourhood
21. Falkirk West Neighbourhood
22. Mountview Neighbourhood; and,

(ii) That a separate Area Specific Storm Water Development Charge be imposed in:

23. Hannon South Neighbourhood; and,

e) That the following categories of residential development be adopted and approved:

(i) Single family, semi-detached, and row houses
(ii) Apartment units with 1 bedroom or less
(iii) Apartment units with 2 bedrooms or more; and,

.../3

f) That other residential uses such as hotels, motels, residential care facilities, student residences, and similar uses be considered as non-residential unless separate cooking facilities are provided within individual rooms; and,

g) That no Development Charges be imposed for non-residential development; and,

h) That the existing policy respecting the use of Development Charges Payment Agreements be confirmed; and,

i) That the existing policy of providing a Development Charge credit for up to 10 years for demolished buildings be continued; and,

j) That the existing policy grand-fathering non-profit housing units allocated by the Ministry of Housing prior to 1990 March 27 be continued; and,

k) That the Development Charges be based on the rate in effect on the date of the building permit application; and,

l) That Development Charges may be subject to annual inflation increases based on changes to the Composite Southern Construction Cost Index, Ontario Series; and,

m) That the proposed City of Hamilton, Development Charges By-law be approved; and,

n) That the Development Charges By-law shall expire five years from the date of its passage; and,

o) That the by-law be administered jointly through the Building and Treasury Departments; and,

p) That no Development Charges be imposed on redevelopment of existing developed property where ten (10) residential units or less are proposed; and,

q) That all Development Charges be paid in full prior to the issuance of the building permit unless an owner has entered into an Agreement with the City to provide for later or earlier payment of Development Charges; and,

r) That a non-residential Area Specific Storm Water Development Charge of $1,633./net developable acre for the Hannon South Neighbourhood be approved and adopted; and,

s) That the following schedule of Development Charges be approved and adopted:

.../4

City of Hamilton ($) RESIDENTIAL DEVELOPMENT CHARGE BY UNIT TYPE			
	(A) CITY WIDE CHARGE	(B) AREA SPECIFIC ENGINEERING SERVICES CHRG	(A & B) TOTAL IN AREAS WHERE AREA SPECIFIC ENGINEERING SERV CHRGS APPLY
Singles, Semis & Rows	1,565.44	208.43	1,773.87
Apts. 2 or More Bedrooms	894.54	119.10	1,013.64
Apts. 1 or Less Bedrooms	447.27	59.55	506.82

2. Financial Policies.

a) That the existing Development Charges reserve fund be maintained; and,

b) That the City Treasurer be authorized and directed to create the following Development Charge accounts within the Development Charge reserve fund for the collection and control of Development Charges:

(i) Storm Water Retention
(ii) Parkland Acquisition
(iii) Studies

c) That the City of Hamilton 1995 - 2204 Capital Budget and Forecast be amended to reflect an overall spending level of $10,000,000. for Parkland Acquisition over the 10 years, with the provisions to be amended accordingly commencing with the 1996 Capital Budget and that the additional funding be provided from the Development Charges Fund; and,

d) That the unallocated balance of $1,718,889. within the Engineering Component of the Development Charges reserve fund as of 1994 December 31 be transferred to the Reserve for services through undeveloped land; and,

.../5

e) That investment interest on the Development Charges reserve fund be credited back to the fund; and,

f) That interest and refunds to be paid on over-payment or successful complaints be calculated in accordance with the Bank of Canada rate; and,

3. Implementation Policies.

a) That the proposed Development Charges rates be effective immediately; and,

b) That the Mayor be requested to call a special meeting of Council be held 1995 September 19 to pass the Development Charges By-law.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Development Charges that were recommended by staff and Hemson were calculated from details provided by various city departments. They are based on recovering the net growth related capital costs from development occurring in the 1995 - 2004 forecast period.

The calculation of the Development Charge is derived from the lesser of the historic service levels and those contained in the City's Growth Related Capital Forecast.

Income anticipated from implementation of the new by-law over the next 10 years is as follows:

	Staff/Consultant Report		**Staff Recommendation**	
	RES. ($)	**NON-RES. ($)**	**RES. ($)**	**NON-RES. ($)**
CITY WIDE	24,978,736	865,600	14,262,414	0
AREA SPECIFIC (Engineering)	2,143,459	271,259	1,872,200	0
(Storm)		199,960		199,960
TOTAL	**28,459,014**		**16,334,574**	

.../6

BACKGROUND:

On 1990 March 27 the City passed its first Development Charges By-law under the Development Charges Act. The by-law imposes charges for both residential and non-residential development. The by-law was subsequently amended in 1992 June to reduce the charges by 40%. Under the provincial legislation this by-law expired after 5 years on 1995 March 27.

On 1994 September 27, City Council approved the review of the current Development Charges policies and granted permission to retain a consultant to assist with the review.

On 1994 December 8 the Finance and Administration Committee hosted a public meeting to review the existing Development Charges policies and to receive input from the public on the existing policies. On 1995 March 9 the Finance and Administration Committee hosted a second public meeting with the intent to advise the public of the passing of a by-law for a 6 month term that continues the existing rates, terms and conditions and to receive input thereof.

On 1995 March 21, the F & A Committee approved a Development Charges By-law with a term of 6 months. At that meeting staff were also directed to continue work on a full Development Charges study and to meet with representatives of the development industry regarding the Development Charge proposal prior to its presentation to Committee and Council.

The interim six month by-law was subsequently approved by Council at its meeting of 1995 March 23 with an expiry date of 1995 September 23. Staff has continued to develop a new Development Charges By-law and also has had numerous meetings with industry representatives.

DISCUSSION:

The object of the City of Hamilton Development Charges Study was to identify the net growth related capital costs that the City will face in order to provide service to new development and to apportion these costs in a fair and equitable manner.

From the net growth related capital costs and a development forecast, charges were calculated based upon residential unit type and non-residential development. These charges are summarized on Table ES-1. (Insert 1)

It was also determined that charges for engineering and storm water retention should be area specific and these charges are summarized in Table ES-2. (Insert 2)

The calculation of the Development Charges in the Study was completed on the basis of full growth related cost recovery. The resulting rates are considerably higher than existing rates which were lowered under direction of Council by 40% in 1992.

.../7

	EXISTING RATES 1992	ORIGINAL RATES 1990	STUDY RATES 1995
RESIDENTIAL CHARGE - SFD	$1,723.20	$2,872.00	$2,746.21
NON-RESIDENTIAL $/SQ.FT.	$ 0.11	$ 0.18	$ 0.16
NOTE: Table does not include Area Specific Charges			

In keeping with the direction of the Committee and Council, staff have met with representatives of the development industry to review the findings of the study and obtain their input. The Staff Development Charges Sub-Committee has also met to develop a staff position as to what development charge levies to recommend.

The following factors were taken into account in developing the staff development charges proposal:

1. Consideration of the present economic situation and the effect of the condition of the development industry upon the local economy.

2. The overall effect of City Development Charges in combination with other charges such as the Regional Development Charges, proposed education levies, 5% land dedication and other fees.

3. Capital financing being generated for the City under various development charge level scenarios.

4. Concerns of the development industry representatives regarding the calculations and methodology for certain components of the development charges calculations. Particular components identified as concerns include special facilities, indoor recreation, outdoor recreation, and libraries.

5. Concerns of the Development industry representatives respecting adminstration of the new Development Charges particularly the proposal to levy engineering costs on a per area basis rather than a per unit basis.

6. Concerns regarding the cost impact of development charges upon new growth in the community and the effect of such charges upon the competitiveness of Hamilton in attracting new growth.

.../8

7. The request by the Chamber of Commerce for a five year moratorium on non-residential charges to assist with attracting new growth to the community.

8. The position of the Hamilton Harbour Commission that Development Charges should not be assessed against their lands as it impedes development and affects competitiveness.

Proposed rates are as follows:

	STAFF RECOMMENDATION			
	CITY WIDE PROPOSED RATES ($)	**CITY WIDE PLUS AREA SPECIFIC PROPOSED RATES ($)**	**EXISTING RATES (40% Reduction) ($)**	**STUDY PROPOSED RATES ($)**
RESIDENTIAL: SFD	1,585.44	1,773.87	1,723.20	2,746.218*
APT, 2 BEDROOM	894.54	1,013.64	1,216.38	1,569.26*
APT, 1 BEDROOM	447.27	506.82	658.87	784.63*
NON-RESIDENTIAL CHARGE - $/SQ.FT.	0.00	0.00	0.11	0.16*
*** Does not include Area Specific Charges.**				

The staff committee, after receiving the study findings, revised the Development Charges in the following manner:

1. The levy component for special city wide facilities was removed.

2. The levy component for indoor recreation was reduced to a level that maintained residential rates at the same per capita rate as the present levies. All other residential components remained at the levels proposed in the study.

.../9

3. Engineering Area Specific charges were revised to per unit charge although it is still proposed that the levy only be charged in the "green fields" development areas in the City.

4. Non-residential Development Charge fees identified in the Study were reduced to zero except for the Hannon South Neighbourhood.

The reduction of city wide facilities and indoor recreation are based upon consideration of the magnitude and priorities of the capital expenditures involved and the operating cost implications of these capital facilities.

The net effect of the revision is a reduction in projected development charge funds over the next ten years from $28.5-million (study findings) to $16.3-million (staff recommendations). This reduction will have to be made up from tax based funding if all the growth-related projects are to proceed.

PARKLAND ACQUISITION:

Parkland acquisition is not a component in the current Development Charges By-law. A detailed review of the City's park inventory was carried out as part of the study.

In comparing future acquisition costs with the capital budget, it was apparent that costs will exceed proposed expenditures. The capital budget for parkland acquisition historically has not been based on need but upon funding availability from parkland dedication funds. The Development Charges represent a source of additional potential capital financing for parkland acquisition and was therefore included within the study.

The analysis confirmed the need for a development charge component for parkland acquisition. At the recommended rate of $93.92 per capita, the Development Charge will generate $3.0-million in additional capital financing for acquisition over the next ten years. Due to the existing capital budget funding constraint, it is necessary to amend the capital budget to reflect the expanded acquisition levels possible with the additional financing. A recommendation to that effect is included.

ENGINEERING COMPONENT:

The City presently collects funds for engineering works related to development by either Development Charges or through recoveries through one foot reserves. The two recovery techniques each cover different components and, therefore, there is no double-charging for the same components. In the course of the Development Charges Study, it was found that a significant part of the expenditures from the Reserve for Services through Unsubdivided Lands

.../10

over the past five years were intended for components that should have been funded from the engineering component of the Development Charge fund. Therefore, it is necessary to transfer funds from the Development Charges Fund to the Reserve for Services through Unsubdivided Lands to offset the error.

NON-RESIDENTIAL DEVELOPMENT:

The Chamber of Commerce has advocated the elimination of non-residential charges for a 5 year period. Their brief, which was submitted at the Finance and Administration meeting in 1994 December, outlines their concerns respecting the economic impact of a non-residential Development Charge. The brief concludes by recommending that Council should examine the competitive position of Hamilton and that the charges should not be levied for a five year period.

Staff reviewed the position of the Chamber and also examined potential revenue from the non-residential charges. The Development Charges Study concluded that a total of $1,336,819. could potentially be collected over the next ten years. This translates to potential capital of $133,682. per year.

If non-residential development charges were reduced to zero, except in the Area Specific charge for Hannon South Neighbourhood, a total of $1,136,859. would not be collected over the next ten years.

The Staff Subcommittee noted that the amount of money collected by this charge was not significant with respect to the City's overall budget and concluded that the economic benefits of a zero charge for non-residential would outweigh actual development charges collected.

DOWNTOWN AREA:

One issue that was raised at the onset of the Development Charges Study was the economic effect of development charges on the downtown. Staff were directed to examine this issue in light of both the City's and Region's desire to promote growth and development.

The Staff Subcommittee noted that there has been no residential development in the downtown core for the last five years. If this trend continues, then residential charges will have no effect on the downtown.

With respect to commercial development, it is the Staff's recommendation that non-residential charges be reduced to zero for economic reasons, and this reduction will also apply to the downtown.

LCK/PCL/CS/dm

c.c. - Review of the Development Charges Staff Subcommittee

TABLE ES-1

City of Hamilton ($)

RESIDENTIAL DEVELOPMENT CHARGE BY UNIT TYPE

SERVICE	FINAL DEV CHARGE PER CAPITA	SINGLES SEMIS & OTH MULT (3.5)	APTS 2 BD. (2.0)	APTS 1 BD. (1.0)
1.0 INDOOR RECREATION	201.48	705.18	402.96	201.48
2.0 OUTDOOR RECREATION	148.40	519.40	296.80	148.48
3.0 PARKLAND ACQUISITION	93.92	328.72	187.84	93.92
4.0 LIBRARY BUILDINGS	25.83	90.41	51.66	25.83
5.0 LIBRARY MATERIALS	31.71	110.99	63.42	31.71
6.0 SPECIAL CITY FACILITIES	254.34	890.19	508.68	254.34
7.0 TRAFFIC SIGNALS	3.92	13.72	7.84	3.92
8.0 VEHICLES & EQUIPMENT	24.54	85.89	49.08	24.54
9.0 STUDIES	0.49	1.72	0.98	0.49
TOTAL	784.63	2,746.21	1,569.26	784.63

City of Hamilton ($)

NON-RESIDENTIAL DEVELOPMENT CHARGE PER SQUARE FOOT

SERVICE	UNADJUSTED PER SQ. FT.	PER SQ. FT. AFTER RES. BALANCES AND CASH FLOW	FINAL PER SQ. FT. DEV CHRGE
1.0 INDOOR RECREATION	0.06	0.07	0.00
2.0 OUTDOOR RECREATION	0.04	0.04	0.01
3.0 PARKLAND ACQUISITION	0.06	0.05	0.05
4.0 LIBRARY BUILDINGS	0.03	0.02	0.00
5.0 LIBRARY MATERIALS	0.01	0.01	0.01
6.0 SPECIAL CITY FACILITIES	0.14	0.10	0.00
7.0 TRAFFIC SIGNALS	0.01	0.01	0.01
8.0 VEHICLES & EQUIPMENT	0.07	0.07	0.07
9.0 STUDIES	0.00	0.00	0.00
TOTAL	0.42	0.38	0.16

TABLE ES-2

City of Hamilton **($)**

AREA-SPECIFIC DEVELOPMENT CHARGES PER ACRE

ENGINEERING SERVICES

	TOTAL COSTS	DEVELOPABLE AREA (Acres)	UNADJUSTED COST PER ACRE	DEBT/CREDITS FOR STREETLIGHTING	**TOTAL CHARGE PER ACRE**
AREA SPECIFIC ENGINEERING SERVICES	2,603,800	1,373.56	1,896	(138)	**1,758**

SPECIAL AREA-SPECIFIC DEVELOPMENT CHARGE PER ACRE **($)**

STORM WATER RETENTION SYSTEM

	COST	DEVELOPABLE AREA (ACRES)	**TOTAL CHARGE PER ACRE**
STORM WATER RETENTION SYSTEM	200,000	122.45	**1,633**

APPENDIX A

RECOMMENDED DEVELOPMENT CHARGES

City of Hamilton RESIDENTIAL DEVELOPMENT CHARGE BY UNIT TYPE		($)		
SERVICE	**FINAL DEV CHARGE PER CAPITA RECOMMENDED**	**SINGLES SEMIS & OTHER MULT (3.5)**	**APTS 2 BD. (2.0)**	**APTS 1 BD. (1.0)**
1.0 Indoor Recreation	118.46	414.61	236.92	118.46
2.0 Outdoor Recreation	148.40	519.40	296.80	148.40
3.0 Parkland Acquisition	93.92	328.72	187.84	93.92
4.0 Library Buildings	25.83	90.41	51.66	25.83
5.0 Library Materials	31.71	110.99	63.42	31.71
6.0 Special City Facilities	0	0	0	0
7.0 Traffic Signals	3.92	13.72	7.84	3.92
8.0 Vehicles & Equipment	24.54	85.89	49.08	24.54
9.0 Studies	.49	1.72	.98	.49
CITY WIDE TOTALS	**447.27**	**1,565.44**	**894.54**	**447.27**
10.0 Engineering	59.55	208.43	119.10	59.55
AREA SPECIFIC TOTALS	**506.82**	**1,773.87**	**1,013.64**	**506.82**

APPENDIX B

RECOMMENDED DEVELOPMENT CHARGES

City of Hamilton ($) NON-RESIDENTIAL DEVELOPMENT CHARGE PER SQUARE FOOT			
SERVICE	**UNADJUSTED PER SQ.FT.**	**PER SQ. FT. AFTER RES. BALANCES & CASH FLOW**	**FINAL PER SQ.FT. DEV CHARGE RECOMMENDED**
1.0 Indoor Recreation	0	0	0
2.0 Outdoor Recreation	0	0	0
3.0 Parkland Acquisition	0	0	0
4.0 Library Buildings	0	0	0
5.0 Material Materials	0	0	0
6.0 Special City Facilities	0	0	0
7.0 Traffic Signals	0	0	0
8.0 Vehicles & Equipment	0	0	0
9.0 Studies	0	0	0
10.0 Engineering	0	0	0
TOTAL	**0**	**0**	**0**

URBAN/MUNICIPAL
CA4 ON HBL AOS
C 51 F 31
1995

Urban/Municipal
Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

URBAN MUNICIPAL

FINANCE AND ADMINISTRATION COMMITTEE

SEP 20 1995

Tuesday, 1995 September 19th
1:30 o'clock p.m.
Room 233, City Hall

GOVERNMENT DOCUMENTS

Susan K. Reeder.
Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

1. **DELEGATION**

   Hamilton-Wentworth Council on Smoking and Health

   (a) Report - City Clerk - Smoke-Free Hamilton by the year 2000 Enforcement - Smoking in Public Places and Workplaces

2. **IN CAMERA AGENDA**

3. **CONSENT AGENDA**

4. **LICENSING COMMITTEE**

   Lap Dancing

5. **TREASURER**

   Requested Report - Royal Canadian Legion - Property Tax Relief

6. **REVIEW OF THE DEVELOPMENT CHARGES COMMITTEE**

   Approval of new Development Charges Policies and Development Charges By-law (copy to follow)

7. **DIRECTOR OF PROPERTY**

   (a) Offer to Purchase of City owned lot located at 195 Parkdale Avenue North - Carmine Ricciarcone

   (b) Requested Report - 11 Arthur Avenue South

8. **DIRECTOR OF INFORMATION SYSTEMS**

   IBM Computer Maintenance Agreement

9. **FIRE CHIEF AND CITY SOLICITOR**

   Standard Contract for Communications Services

10. **REFERRAL OF CORRESPONDENCE**

    Correspondence - Hamilton Construction Association - Regional Review of Fair Wage Schedule/Ontario Fair Wage Schedule (referred from previous meeting)

11. **APPOINTMENT OF ALDERMEN TO SERVE ON THE HAMILTON STATUS OF WOMEN SUB-COMMITTEE**

    Memorandum - Secretary, Finance and Administration Committee

12. **OTHER BUSINESS**

13. **ADJOURNMENT**

World Health Organization -- 1995 Slogan "Tobacco Costs More Than You Think"

Hamilton-Wentworth Council on Smoking and Health

Barbara Gowitzke, Ph.D., President
Telephone: (905) 648-0108

Members

Addiction Research Foundation

Canadian Cancer Society, Hamilton Unit

Canadian Diabetes Association

City of Hamilton

City of Hamilton Fire Department

Drug and Alcohol Awareness Committee

Girl Guides of Canada

Hamilton Academy of Medicine

Hamilton and District Pharmacists' Association

Hamilton Board of Education

Hamilton Occupational Health Nurses' Association

Hamilton Regional Cancer Centre

Hamilton-Wentworth Non-Smokers' Rights Association

Hamilton-Wentworth Regional Department of Public Health Services

Hamilton-Wentworth Regional Police Services

Hamilton-Wentworth Roman Catholic School Board

Heart and Stroke Foundation of Ontario

The Lung Association, Hamilton-Wentworth

McMaster University

Mohawk College

North End Children's Centre, Inc.

Physicians for a Smoke-Free Canada

Redeemer College

Regional Municipality of Hamilton-Wentworth

Wentworth County Board of Education

Y.M.C.A.

Y.W.C.A.

DATE: September 8, 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee
City of Hamilton

FROM: Barbara A. Gowitzke, Ph.D., President
Hamilton-Wentworth Council on Smoking & Health

RE: Presentation to the Finance & Administration Committee on Tuesday, September 19, 1995, 1:30 pm

As you know, Dr. Michael Goodyear and I met with Alderman Bob Charters, Chairman of the Finance and Administration Committee on July 11th. At that time, Alderman Charters agreed that it was appropriate for the Hamilton-Wentworth Council on Smoking and Health to make a presentation at the September 19th meeting at the time when the issues of a smoke-free Hamilton by the year 2000 and a proposed region-wide tobacco control bylaw are being considered by the Committee.

Accordingly, I have prepared a written report to be distributed to the Committee in preparation for that meeting. In the report, I have referred to a book titled, "Let's Clear the Air, Ontario"; each alderman has a copy of this book which they would have received last May through Regional channels. I have included one here for your use.

If there are any changes to the schedule, please let me know. Michael Goodyear and I will arrange to be there a few minutes before 1:30 in preparation for the start of the meeting.

World Health Organization -- 1995 Slogan "Tobacco Costs More Than You Think"

Hamilton-Wentworth Council on Smoking and Health

Barbara Gowitzke, Ph.D., President
Telephone: (905) 648-0108

123 Woodview Crescent
Ancaster, Ontario, L9G 1B8

Members

Addiction Research Foundation

Canadian Cancer Society, Hamilton Unit

Canadian Diabetes Association

City of Hamilton

City of Hamilton Fire Department

Drug and Alcohol Awareness Committee

Girl Guides of Canada

Hamilton Academy of Medicine

Hamilton and District Pharmacists' Association

Hamilton Board of Education

Hamilton Occupational Health Nurses' Association

Hamilton Regional Cancer Centre

Hamilton-Wentworth Non-Smokers' Rights Association

Hamilton-Wentworth Regional Department of Public Health Services

Hamilton-Wentworth Regional Police Services

Hamilton-Wentworth Roman Catholic School Board

Heart and Stroke Foundation of Ontario

The Lung Association, Hamilton-Wentworth

McMaster University

Mohawk College

North End Children's Centre, Inc.

Physicians for a Smoke-Free Canada

Redeemer College

Regional Municipality of Hamilton-Wentworth

Wentworth County Board of Education

Y.M.C.A.

Y.W.C.A.

DATE: September 8, 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee
City of Hamilton

FROM: Barbara A. Gowitzke, Ph.D., President
Hamilton-Wentworth Council on Smoking & Health

SUBJECTS: (1) Smoke-Free Hamilton by the Year 2000
(2) Proposed Region-wide Tobacco Control Bylaw

RECOMMENDATION:

Referring to the reports of the Medical Officer of Health dated May 4, 1995 and the subsequent report of the City Clerk dated June 30, 1995, the Hamilton-Wentworth Council on Smoking and Health makes the following recommendations:

On the subject of (1) Smoke-Free Hamilton by the Year 2000:

1. With respect to the report of the City Clerk, that recommendations #2, #3, and #5 be approved.

2. That recommendation #4 of the City Clerk's report be approved with the following proviso:

   With respect to recommendations (b), (c), (i), and (j) of the Report of the Medical Officer of Health, that the financial, legal and staffing implications of these recommendations be studied immediately with the objective of bringing them back to the Committee by the new year.

On the subject of (2) Proposed Region-Wide Tobacco Control Bylaw:

3. With respect to the report of the City Clerk, that recommendation #1 be approved.

BACKGROUND:

The City of Hamilton has been a leader in the field of tobacco control for many years, commencing with the passage of a bylaw to control smoking in public places in 1980. A bylaw respecting smoking in the workplace was introduced in 1989. Bylaws to amend smoking in public places and licensing were passed in 1991 and 1992. As well, in 1991, the City passed a resolution endorsing the World Health Organization's goal of a smoke-free Hamilton by the year 2000.

In 1993, the Regional Municipality of Hamilton-Wentworth adopted a resolution for a smoke-free Hamilton-Wentworth by the year 2000. During that same time period, the Region approved the report of Vision 2020 for a sustainable community which included very specific recommendations of goals to be achieved by the years 1995 and 2000. In fact, the goals contained in the Sustainable Development Report are identical to the goals listed as part of the mandatory guidelines for the Department of Public Health.

These significant steps taken by the City and the Region were done in response to an ever-increasing plethora of evidence about the health consequences of tobacco use both for the user and for those within range of tobacco smoke. In fact, at one time, the City of Hamilton led the way for other cities within the province and across the nation to emulate.

Subject (1): Smoke-Free Hamilton by the Year 2000

The Hamilton-Wentworth Council on Smoking and Health (HWCSH) fully endorses the report of the Medical Officer of Health dated May 4, 1995 and hopes that all of the recommendations will be passed by the City of Hamilton. However, in the light of the recent recommendation by the Region to examine the possibility of a region-wide by-law, it is logical that recommendation (a) be tabled until either a Regional Tobacco Control By-law is approved or not.

With respect to recommendations (d), (e), (f), (g), (h), (k), (l), and (m) of the report of the Medical Officer of Health, HWCSH fully concurs and advises that these recommendations be approved.

With respect to recommendations (b), (c), (i), and (j) of the report of the Medical Officer of Health, HWCSH fully concurs but recognizes that there may be ramifications of these recommendations which should be studied. Therefore, HWCSH advises that the implications of these recommendations should be studied as soon as possible with the view to bringing these issues back to the Finance and Administration Committee by January of 1996.

There is an urgency with respect to recommendation (b) as it has been shown that one of the most effective ways of assuring compliance with laws controlling sale of tobacco to minors is to provide for a licensing scheme that suspends or revokes a license

upon conviction of wrongful doing. It is obvious that this is an effective tool because suspension or revocation of a license causes the retailer to lose a right to sell a product which, by most standards, provides a fairly lucrative business. Since our primary concern has been and will be the sale of tobacco to minors, it is of utmost importance that this method be used to effectively curtail illegal sales.

With respect to recommendation (c), it is only logical that licensing fees should be fixed at an amount which covers the cost of administering and enforcing tobacco control bylaws. Fees in other municipalities range greatly, but a fee of $100 is suggested.

With respect to recommendations (i) and (j), HWCSH is greatly concerned that the City of Hamilton may overlook the serious health implications of tobacco use and opt for the financial benefits to be gained from brand name advertising and promotion by tobacco companies. Likewise, it would be irresponsible, particularly to the young people of this community, for the City of Hamilton to allow tobacco products to be sold or used at City-owned or managed facilities or events. Whether it is advertising, promotion, sale or use of tobacco products, the question to be asked is "will our young people be affected?" Will our young people see the ad on the billboard, the poster in the bus shelter, the printed message on the buses, or the sale or use at a sporting event? These are only a few of the many places frequented by youth. It is hoped that this problem will be tackled by the City of Hamilton with the same fervour that was used to confront the problem of displaying and disbursing illicit and pornographic materials.

Subject 2: Proposed Region-wide Tobacco Control Bylaw

Finally, and most importantly, HWCSH endorses the very first recommendation of the City Clerk that the City of Hamilton endorse the empowering of the Regional Municipality of Hamilton-Wentworth to regulate smoking in public places and workplaces. There are many advantages to having a comprehensive region-wide tobacco control bylaw.

First, tobacco and its smoke is a health issue as has been abundantly documented in the research literature and emphasized by medical doctors including the Chief Medical Officer of Health. So obvious is the health implication of this issue that the Ministry of Health in the Province of Ontario (and its national counterpart in Ottawa) has spent untold millions of dollars on this problem in the hopes of educating Ontarians about the health hazards of tobacco.

In this province, all health problems are handled within Departments of Public Health, be it measles, chicken pox, cholera, nutrition, alcohol or smoking. It is only logical that public health inspectors have been trained to administer and enforce the Ontario Tobacco Control Act. If the Regional Municipality of Hamilton-Wentworth had its own region-wide tobacco control bylaw, then it would be logical and cost-effective to have the same public health inspectors also administer and enforce the regional bylaw.

Second, each of six municipalities in the Region presently has its own bylaw to regulate smoking with respect to public places. Each bylaw is different and ranges in its requirements, and is enforced by the bylaw control officers in the respective communities. Due to inconsistencies among municipal policies, the public is not adequately protected. With a region-wide tobacco control bylaw, coverage in the region would be comprehensive and would equally protect all citizens within Hamilton-Wentworth.

Third, each of the six municipalities (and their respective bylaw control officers) would be relieved of the chore of enforcing its own tobacco control bylaws, which we understand is an onerous job at the moment because there are so many bylaws to enforce within each municipality.

Fourth, only the City of Hamilton has a bylaw to regulate smoking in workplaces. With the advent of a region-wide bylaw, smoking in workplaces would be uniformly regulated throughout the Region. Most communities in Ontario have found the Smoking in the Workplace Act to fall far short of the requirements needed to control smoke in workplace settings which is why they have welcomed the opportunity offered by the Tobacco Control Act to provide their own set of regulations.

In 1993 and 1994, several of us were compiling the book titled "Let's Clear the Air, Ontario", a handbook about the facts and issues of Local Tobacco Control. This book was written by a group of people in the Central West Region of Ontario who were either in the public health sector or sitting on a municipal council. More importantly, it was written for politicians who are in the business of making informed judgements on this topic. Each Regional Councillor received a copy of the book and was invited to attend the Region's Health and Social Services meeting on May 9, 1995.

At the time of the May 9th meeting, we put forth seven recommendations, two of which were:

> That the Regional Municipality of Hamilton-Wentworth introduce regional legislation making all workplaces, public places, and educational institutions smoke-free in accordance with the Ontario Tobacco Strategy.
>
> That the Regional Municipality of Hamilton-Wentworth seek enabling legislation from each of the six municipalities as specified in the Tobacco Control Act, Section 212, (14).

Smoking remains the leading cause of preventable illness and death in this country. A strong tobacco control policy is an essential public health strategy to reduce tobacco use and thereby contribute to increasing the number of years of good health and quality of life for all citizens in Hamilton-Wentworth. As well, the responsibility for regulating environmental tobacco smoke looms large as increasing documentation erases all doubt about the hazards of second-hand smoke. HWCSH looks forward to your positive response to region-wide legislation.

1. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 August 11

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Smoke-Free Hamilton by the Year 2000
Enforcement - Smoking in Public Places and Workplaces

RECOMMENDATION:

1. That the City of Hamilton endorse the empowering of the Regional Municipality of Hamilton-Wentworth to regulate smoking in public places and workplaces in accordance with Section 21(14) of the Tobacco Control Act.

2. That recommendation (a) of the Report of the Medical Officer of Health (att'd Sch. "A") be tabled until the Regional Tobacco Control By-law is completed.

3. That recommendations (b), (d), (e), (f), (g), (h), (k), (l) and (m) of the Report of the Medical Officer of Health respecting "Smoke-Free Hamilton by the Year 2000" be approved.

4. That recommendations (c), (i), and (j) be tabled to allow staff to properly assess the financial, legal and staffing implications which would likely result from the implementation of these recommendations.

5. (a) that the City of Hamilton request the Regional Municipality of Hamilton-Wentworth, to assume responsibility for administration and enforcement of the Smoking in Public Places By-law No. 80-258 and Smoking in the Workplace By-law No. 89-370 by the Department of Public Health Services until such time as a Regional By-law is approved; and

   (b) that the position of Smoking Control Officer (1.0 F.T.E.) be declared redundant and deleted from the complement of the City Clerk's Department; and

(c) that $29,500. for salary and benefits for a 0.5 F.T.E. in the Department of Public Health Services be provided for in the appropriate budgets; and

(d) that the City Solicitor be authorized and directed to prepare the necessary amendments to the appropriate by-laws to reflect the recently enacted Tobacco Control Act, enforcement of the City By-laws by the Department of Public Health Services and repealing of the Smoking in Public Places and Workplace By-laws following approval of a by-law by the Region.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The City will save approximately $49,100. in deleting the Smoking Control Position. It would, however, be necessary to transfer approximately $29,500. for salary and benefits for an additional 0.5 F.T.E. to the Department of Public Health Services for them to enforce the By-laws on the City's behalf until a Regional by-law is in place. The net savings to the City of Hamilton will be $19,600.

BACKGROUND:

On May 23, 1995, the Finance and Administration Committee approved a report from the City Clerk which recommended:

(a) That the attached report from Dr. Marilyn James, Medical Officer of Health, dated 1995 May 4, respecting "Smoke-Free Hamilton by the Year 2000" be tabled until such time as Regional Council has decided whether or not to direct staff to initiate a process to develop a Regional By-law prohibiting smoking in all enclosed public places and workplaces: and,

(b) That, subject to Regional Council's disposition of this matter, the City Clerk be directed to report to the Finance and Administration Committee with respect to the financial and staffing implications to the City of Hamilton, in adopting the report and recommendations of the Medical Officer of Health.

At the same meeting, the Committee received for information the following resolution from Regional Council for information:

Tobacco Control Act

That the Regional Chairman be authorized and directed to forward the following resolution to the Mayors of the Area Municipalities:

"That the six area municipalities be requested to endorse the empowering of Regional Council in the regulating of smoking in public places and workplaces, as specified in the Tobacco Control Act, Section 21, (14)" Item 3.1.

Subsequently on June 6, 1995, Regional Council gave approval to a proposed Region-wide Tobacco Control By-law. A recent change to the Municipal Act now permits the Regional Municipality to pass a by-law regulating smoking in work places and public places. Regional Council also recommended the establishment of an Ad hoc committee which would review the current by-laws of the six-area municipalities, level of enforcement, draft a comprehensive by-law reporting on financial and staffing implications, co-ordinating implications and evaluation of a Region-wide by-law, requiring a full and open public consultation process including all economic social and cultural implications of a Region-wide by-law which prohibits smoking in all enclosed public places and work places. The Area Municipalities have now been requested to give approval to the above resolution.

Recommendation 1, which is to endorse the empowerment of the Regional Municipality of Hamilton-Wentworth, in the regulating of Smoking Control By-laws, would be the logical next step both for uniformity and consistency in applying a Smoking Control Program throughout the six area municipalities, and would be a more efficient, less confusing system for all citizens of the Region, to deal with.

We were preparing to deal with all the recommendations contained in the Report of the Medical Officer of Health. However, staff have been requested to participate in the development of a Regional Tobacco Control By-law and it is anticipated that this process will take up to a year to complete and will require a significant portion of our staff resources. It is neither practical nor feasible to develop a duplicate Tobacco Control By-law for the City of Hamilton. Therefore it is proposed that in recommendation 2, item (a) of the Report of the Medical Officer of Health be tabled at this time. In addition, as there are several significant issues in the report that have financial and possibly staffing implications, in recommendation 4, we are requesting that items (c), (i) and (j) be tabled to allow sufficient time to assess the ramifications. Once the aforementioned staffing and financial implications have been properly assessed, we will bring back a full report on the remaining issues. Recommendation 3 pertains to items (b), (d), (e), (f), (g), (h), (k), (l) and (m) of the Report of the MOH, which are either currently being done or can be accomplished with little or no financial or staffing impact.

With respect to recommendation 5, in discussions with staff of the City Clerks and Public Health Services, it has become apparent that having two smoking control regulations is confusing to the public, and requires two sets of administration and inspection staff which we believe is unnecessary. Currently both the City (City Clerk) and the Region (Department of Public Health Services) administer and enforce Tobacco Control By-laws/Legislation. The City administers and enforces by-laws respecting workplaces and public places. The Region administers and enforces the provisions of the new Tobacco Control Act which covers many of the same public places that the City by-law regulates such as all retail shops, financial institutions bus shelters, hairdressers, barbershops and common areas of malls. The Tobacco Control Act also contains similar provisions as the City Tobacco Shop Licence By-law, over

minors and signage. Our Licence By-law, once amended will only require retailers to obtain a licence and pay the fee. The Public Places By-law once amended to eliminate duplication, would contain provisions regulating such places as restaurants, bars/taverns, arenas, bingo halls, bowling alleys, theatres, apartment buildings and public halls when they are used for private functions.

Locating this activity in just one department would eliminate any confusion by the public which now exists because there are two jurisdictions with two different regulations covering many of the same offices and retail shops who both respond to inquiries and complaints. The Public Health Services Department is the more appropriate department to handle smoking control and they are also mandated by the Province to be responsible for this health issue which includes a focus on education. We believe it is more appropriate for Public Health Services because they have inspectors who routinely attend many of the facilities (City inspectors do not routinely attend at this type of facility) which are affected by the regulations because of their other health inspection programs. The Province also funds 100% of the cost for inspectors under the Tobacco Control Program. Because of the above, we have determined that the Department of Public Health is best suited to provide this service through a Region-wide by-law, which would result in one set of regulations for the public to deal with and a service which we believe will be more efficient and cost effective.

The Department of Public Health Services has recently had all public health inspectors designated as Tobacco Enforcement Officers, under the Tobacco Control Act. The City has had one Smoking Control Officer who has recently retired and whose position has not yet been filled, pending this report. Should the Committee agree with the recommendations that all smoking control programs be transferred to the Department of Public Health Services, we estimate that 0.5 F.T.E. (approx. $29,500.) will be required to administer existing City of Hamilton Tobacco related by-laws. This would result in a net savings to the City of $19,600. If these recommendations are approved, then the City's Smoking In Public Places and Workplace By-laws should be repealed once a Region-wide by-law is in place, and that the position of Smoking Control Officer be declared redundant and deleted from the compliment of the City Clerk's Department.

We are therefore recommending that the City's Smoking in Public Places and Workplace By-laws be repealed once a Region-wide By-law is in place; that the City provide the necessary funds as referenced above, to cover the cost of assuming control over the administration and enforcement of the program; this would only be necessary until such time as a Regional By-law is in place, and then the Regional would be responsible for funding and that the position of Smoking Control Officer be declared redundant and be deleted from the complement of the City Clerks Department.

cc Medical Officer of Health
Law Department

SCHEDULE "A"

RECOMMENDATIONS FROM: Dr. M. James, Medical Officer of Health

RESPECTING: *"SMOKE-FREE HAMILTON BY THE YEAR 2000"*

(a) That the City of Hamilton appoint an ad hoc working committee, with representation as outlined in Schedule A, to:

- draft amended tobacco-related by-laws to make all public places, schools and workplaces smoke-free
- co-ordinate the implementation and evaluation of the recommendations in this report
- prepare an annual report by March 1st outlining the progress from the previous year towards fulfilling the recommendations of this report to achieve a "Smoke-Free Hamilton by the Year 2000"; and, **(RECOMMENDATION - TABLE)**

(b) That the City of Hamilton provide for the suspension or revocation of tobacco retail licenses upon conviction of violation of pertinent legislation regulating tobacco products; and, **(RECOMMENDATION - APPROVE)**

(c) That the City of Hamilton increase the licensing fees to cover the cost of administering and enforcing the tobacco-control by-laws; and, **(RECOMMENDATION - TABLE)**

(d) That the City of Hamilton request the Federal Government to enact a ban on all tobacco brand name sponsorship or tobacco product advertising; and, **(RECOMMENDATION - APPROVE)**

(e) That the City of Hamilton request the Federal Government to enact legislation to require generic packaging of all tobacco products; and, **(RECOMMENDATION - APPROVE)**

(f) That the City of Hamilton request that the Department of Public Health Services, Regional Municipality of Hamilton-Wentworth, assume responsibility for enforcement of tobacco-related by-laws of the City of Hamilton as well as all community calls regarding tobacco-related by-laws; and, **(RECOMMENDATION - APPROVE)**

cont'd ...2

(b) That the Hamilton-Wentworth Regional Police be urged to take the appropriate measures to enforce the prohibition against "common bawdy houses" and similar violations of the Criminal Code; and

(c) That the Health Services Department be requested to introduce a program to warn persons (dancers and customers) of the public health dangers associated with lap dancing; and

(d) That City Council support the Provincial Government's announced intention to legislatively prohibit lap dancing; and

(e) That City Council request the Federal Government to amend the Criminal Code to declare lap dancing illegal or indecent.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

Stella Glover

CITY OF HAMILTON
- RECOMMENDATION -

5.

DATE: 1995 September 12

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Royal Canadian Legion - Branch 163 -
Property Tax Relief

RECOMMENDATION:

a) That the request for Property Tax relief from the Royal Canadian Legion Branch 163 for 1995 in accordance with the Policy on Tax exemption for Veteran's Associations adopted by City Council September 29, 1981, be approved in the amount of $15,484.37;

b) that this exemption be funded as an approved overdraft of the Tax Adjustments Centre #CH 24102;

c) and that this exemption reflects the third year of ten years that the policy allows for this exemption and will require applications for future years on a yearly and per need basis.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The policy on Tax Exemption for Veterans' Associations allows for relief to the Associations as the lesser amount of the Municipal portion only of property taxes or the amount of the organizations operational loss before amortization. In this case the amount would be $15,484.37 reflecting the Municipal portion of the 1995 taxes. However, there is no 1995 budgeted funds for this exemption. The 1995 Current Budget has no provision for Contingency and accordingly unbudgeted expenditures whenever possible are required to be financed within existing operations. It is recommended that this unbudgeted expenditure be financed by an approved overdraft which will be offset by an anticipated corporate surplus.

BACKGROUND:

The Finance and Administration Committee at its meeting of August 22, 1995 received a delegation from the Royal Canadian Legion Branch 163 requesting consideration of Property Tax relief. The Committee requested the Treasurer to report back at the next committee meeting with proposed solutions. During the discussion of this request, reference was made to a policy which allows assistance to Veterans' Associations. A policy on Tax Exemptions for Veterans' Associations was adopted by City Council September 29, 1981 and amended effective January 1, 1988 and states the following:

"That Veterans' Clubs be permitted to submit applications for tax exemptions on a year to year basis within the provisions of the Municipal Act and that these applications be considered on the basis of information in the financial statements and that the amount of the tax exemption, if granted, shall be the lesser of the actual operating deficit (excluding any amount for depreciation of buildings included in the operating results) or the municipal portion of the taxes."

DISCUSSION:

A review of this policy and the file of this Legion indicates that this policy still applies. The Legion has accessed the policy for exemption in 1985 and 1986. The policy allows for these exemptions for a period of ten years. This would be the third year of exemptions. The unaudited financial statements supplied by the Legion are for the year ending May 31, 1995 and indicated that their operational loss before amortization was $59,925.00. Their operational loss for the year ending May 31, 1994 was $89,121. The Municipal portion of the property taxes was $15,484.37 and $15,348.73 for 1995 and 1994 respectively. Applying the policy the exemption for 1995 would be the amount of the Municipal portion of the taxes being $15,484.37.

.cc Alderman Henry Merling
Royal Canadian Legion Branch 163 Attention: Mr. Clark, President

7.(a.)

CITY OF HAMILTON

- RECOMMENDATION -

SEP 11 1995

DATE: 1995 September 11

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Offer to Purchase - Sale of City Property
195 Parkdale Avenue North
- Carmine Ricciarcone

RECOMMENDATION:

(a) That an Offer to Purchase Agreement, duly executed by Carmine Ricciarcone, on 1995 August 28 and scheduled to close on or before 1995 November 17, for the lands situated in the Regional Municipality of Hamilton-Wentworth and being composed of part of Lot 33, Concession 2, more particularly described as Parts 1 and 2, Plan 62R-6433, being an irregular shape having frontage along the westerly limit of Parkdale Avenue North of 16.980 metres (55.70 feet) more or less, and a depth along the southerly limit of Britannia Avenue of 34.442 metres (112.933 feet) more or less, and comprising a total area of 607.7 square metres (6,541.44 square feet) as shown in heavy outline on Plan 62R-6433 attached to the agreement and known as 195 Parkdale Avenue North, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of $75,000., less commission, be credited to Account No. CH 4X501 00202 (Reserve for Off Street Parking); and,

(b) That the required deposit cheque in the amount of $3,750. be held by the City Treasurer pending Council approval; and,

(c) That upon successful completion of this sale, a real estate commission of 5% on the $75,000. sale price be paid to Royal LePage Residential Realty Services (Nicholas Uhac, representative), who acted in this matter; and,

(d) That this Offer to Purchase be subject to the following conditions:

(i) The Purchaser acknowledges and agrees that the Purchaser will be required to enter into, at its sole expense, a Site Plan Agreement with and satisfactory to the City should the property be used for parking purposes;

(ii) The Purchaser acknowledges and agrees that on or before closing it will enter into an encroachment agreement with the City of Hamilton in respect of an encroachment onto Britannia Avenue along the northerly boundary of the property; and onto Parkdale Avenue North along the easterly boundary (if any encroachment exists) which agreement shall be registered on title to the property of the expense of the Purchaser, contemporaneously with the Transfer/Deed on closing;

(iii) The City makes no representation, warranty, condition either expressed or implied as to soil conditions, building fitness, services, utilities, fitness for purpose of zoning and building by-laws, park, road widening or other possible dedications, or as to charges, levies and regulations of the City, the Regional Municipality, utilities or other regulatory authorities. The Purchaser shall inspect the property and shall satisfy himself in respect of such matters prior to submitting this Offer.

(e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(f) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(i) satisfactory notice has been given to the public of the intended sale;

(ii) an appraisal of the market value of the real property intended to be sold was obtained on the 15th day of August 1995;

(iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The sum of $75,000., less commission, be credited to Account No. CH 4X501 00202 (Reserve for Off Street Parking).

BACKGROUND:

In compliance with the Real Property Sales Procedural By-law No. 95-049, I am reporting to your Committee:

(a) On 1994 April 26, City Council approved Item 8c of the 7th Report of the Finance and Administration Committee declaring the subject lands surplus to the requirements of the City;

(b) that in accordance with the approved methods of Notice to the Public in Real Property Sales Procedural By-law 95-049, the Director of Property has placed a "For Sale" sign on the subject property which included the City's name and telephone number on the 7th day of August 1995, to inform the public that the City intends to sell the said subject land;

(c) the sale of the subject land falls within the range of value which has been determined through an appraisal of the subject's fair market value.

Based on the foregoing matters in compliance with the Real Property Sales Procedural By-law, it is recommended above that the City's sale to the Purchasers be confirmed.

RWW/nw

c.c. P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

C. Bandurka, Property Clerk, Surveys



74	75	108
86	105	100
9	52	51

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department.

CITY OF HAMILTON

NORMANHURST

ZONING

Neighbourhood Boundary

Zoning Boundary.

SCALE 0 50m 100m NORTH

Prepared for The City of Hamilton
by the Planning and Development Department
of The Regional Municipality of Hamilton-Wentworth

PLANNING UNIT NO. 6508

PAGE NO. 105

7. (b.)

CITY OF HAMILTON

- INFORMATION -

SEP 11 1995

DATE: 1995 September 11

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: 11 Arthur Avenue South

BACKGROUND:

At the 1995 August 23 meeting of the Planning and Development Committee staff were asked a) to outline the procedure for sale of municipal property pursuant to the City's Real Property Sales Procedural By-law, 95-049, and, b) outline the chronology of events with respect to the sale of 11 Arthur Avenue South.

(a) Real Property Sales Procedural By-law, 95-049

Effective 1995 January 1 the Province passed the Planning and Municipal Statute Law Amendment Act to amend Section 193 of the Municipal Act requiring municipalities to enact a by-law to establish procedures for the sale of real municipal property. In accordance with that statute the City passed the Real Property Sales Procedural By-law, 95-049 on 1995 February 14.

The by-law requires that, prior to approving the sale of real property, Council shall be satisfied a) that the real property is surplus to municipal requirements, and, if so, shall declare the property surplus by resolution or by-law passed at an open public meeting, b) that public notice of the sale has been given, and c) that at least one appraisal of value has been obtained.

Exemptions from certain of these general provisions are allowed for defined classes of property, such as underground easements being sold to public utilities and 1 foot reserve lands. Exemptions are also allowed for defined purchasers such as other municipalities, local boards, and the Crown.

Upon compliance with the procedures required by Section 193 of the Municipal Act and the City's By-law 95-049, the City Clerk can sign a Certificate of Compliance which is then attached to the City's Transfer of the real property to the purchaser.

No exemption from any of the provisions of By-law 95-049 are applicable to the municipally owned lands at 11 Arthur Avenue South. The by-law requires:

(i) (Sec 5c) Circularization to all City Departments and local boards advising of impending sale. Preferably one month, and in any event, at least prior to a Committee or Council meeting where the sale is to be discussed.

(ii) (Sec 3a) Declaration by City Council that the property is surplus.

(iii) (Sec 4b) Notice to the public of the intended sale. Which, among several alternatives, may be given by posting a 'For Sale' sign on the real property for not less than two weeks.

(iv) (Sec 7a) Obtaining at least one appraisal of the fair market value of the real property.

(v) (Sec 4) A Report to Council advising if the real property is surplus, the steps taken to give public notice, its value, and the terms of payment, closing date and conditions of sale.

(b) Sale Chronology - 11 Arthur Avenue South

1995 May 23 Municipal Tax Sale Tender, no bids received

1995 June 5 Circularization to municipal departments

1995 June 5 Appraisal of market value completed, $18,000

1995 June 6 Notice of Vesting registered on title, City becomes owner of the lands

1995 June 20 Presentation to Finance and Administration Committee by Norm Westbury, Chairman of Hamilton Habitat for Humanity, requesting donation of subject site. Committee requests an Information Report on the status of the subject lot

1995 June 27 Information Report on status sent to Finance and Administration Committee. Following discussion, the Committee approved

(i) that the property known as 11 Arthur Avenue South be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049; and,

(ii) That the Director of Property be directed to prepare the necessary Offer to Purchase Agreement in order to convey the property known as 11 Arthur Avenue South for the sum of $2. to Hamilton Habitat for Humanity

1995 July 7 Offer to Purchase documents forwarded to Hamilton Habitat for Humanity

1995 July 11 City Council adopted Item 20, of the 18th Report of the Finance and Administration Committee declaring the site surplus and directing the site be sold for $2. to Hamilton Habitat for Humanity

1995 July 27 "For Sale' sign erected on site

1995 July 24 Executed Offer to Purchase documents returned by Hamilton Habitat for Humanity

1995 Aug 4 Receipt of unsolicited Offer to Purchase for the appraised value of $18,000 received from Solicitor Powell on behalf of Marino Rakovac of 1125948 Ontario Ltd., owner of 756 King Street East

1995 Aug 17 Information Report submitted to Finance and Administration Committee to advises of Offer to Purchase from Marino Rakovac

1995 Aug 22 Offer to Purchase from Hamilton Habitat for Humanity tabled by Finance and Administration Committee

1995 Aug 31 Meeting called by Joe Pavelka with staff and Hamilton Habitat to clarify status of 11 Arthur and to determine if possible another alternate site

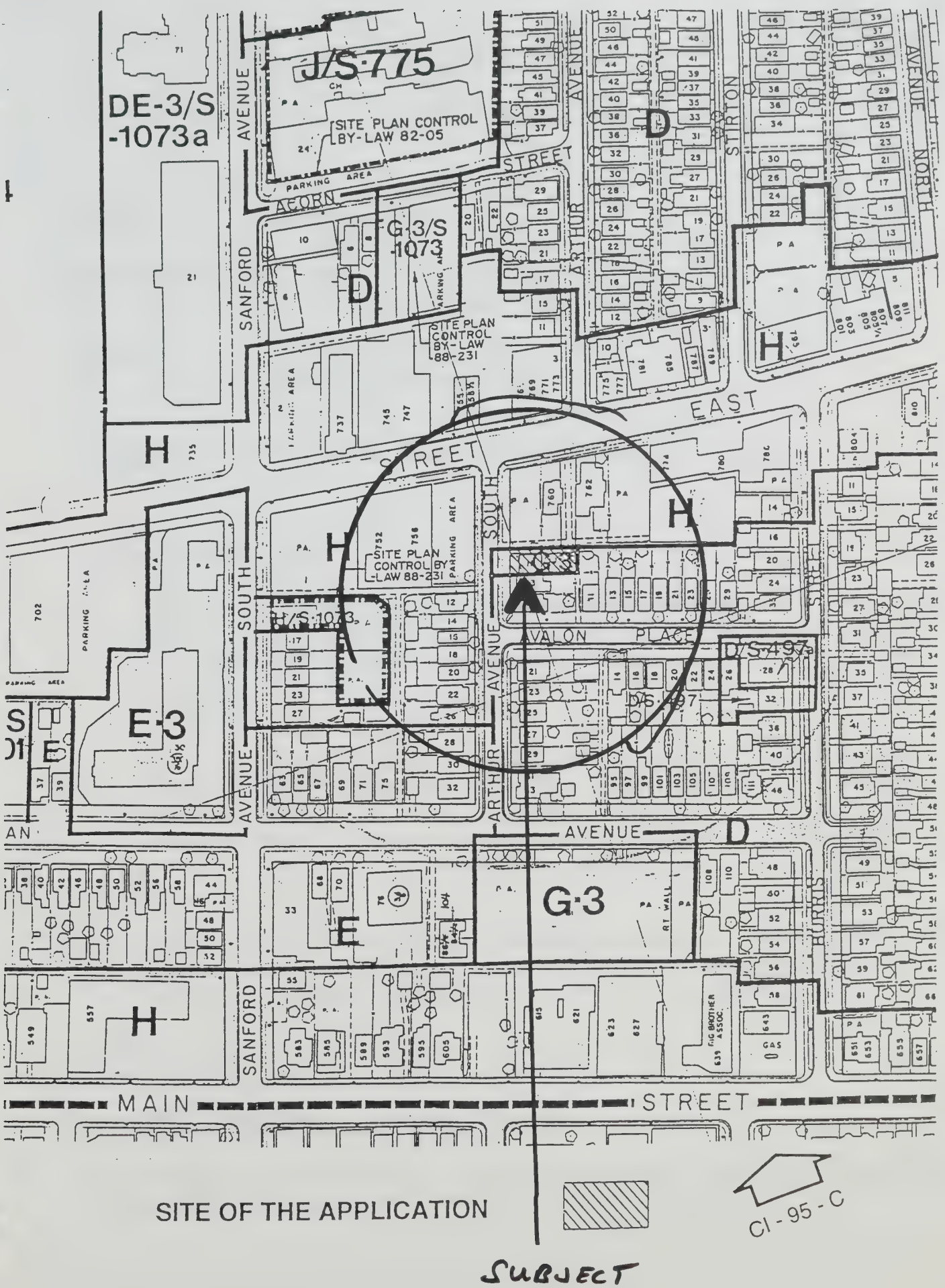
1995 Sept 7 Mike Watson met with Norm Westbury of Hamilton Habitat. They indicated that they would back away from Arthur Avenue if the City would set aside the proceeds of the sale of 11 Arthur for a future City owned lot for Hamilton Habitat to be located by the Property Department

CONCLUSION

In view of the new position taken by Hamilton Habitat, it would seem that the appropriate course of action for the Committee to consider would be to accept Hamilton Habitat's suggestion for them to back away from 11 Arthur with the understanding that the eventual proceeds would be set aside for them to purchase another lot and finally, let the 11 Arthur lot be tendered for sale due to the many requests to purchase this lot from area commercial businesses who desire it for parking which would generate an annual realty tax of $1,228.

RAB/nw

c.c. Alderman Bernie Morelli, Alderman, Ward 3
Alderman D. Drury, Alderman, Ward 3
Joe Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor
Allan C. Ross, Treasurer


J/S-775
DE-3/S
-1073a
SITE PLAN CONTROL
BY-LAW 82-05
PARKING AREA
ACORN
STREET
SANFORD
AVENUE
G-3/S
-1073
D
SITE PLAN
CONTROL
BY-LAW
88-231
ARTHUR
AVENUE
STIRTON
AVENUE
NORTH
EAST
STREET
H
SOUTH
STREET
SITE PLAN
CONTROL BY
LAW 88-231
PARKING AREA
J/S-1073
AVALON
PLACE
D/S-497
E-3
SOUTH
ARTHUR
AVENUE
AVENUE
D
G-3
E
RT WALL
BURRIS
SANFORD
AVENUE
MAIN
STREET
BIG BROTHER
ASSOC.
GAS
SITE OF THE APPLICATION
SUBJECT
CI - 95 - C

APPENDIX "A

8.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 13

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. G. Hindson, P.Eng.
Director of Information Systems

SUBJECT: IBM Computer Maintenance Agreement (INF 95-134)

RECOMMENDATION:

a) That the existing computer maintenance agreement (due to expire 1996 July 1) with IBM be terminated, and replaced with a new agreement with IBM Canada Limited at the following (reduced) rates (PST and GST extra):

Account #	Description	Amount
CH 57101 26020	Equipment Repair (Central Processing)	$1,520/month
CH 57101 26014	Equipment Repair (Disk & Tape)	$4,090/month
CH 57101 26016	Equipment Repair (Host Printing)	$1,020/month
CH 57101 26022	Equipment Repair (Communications)	$1,040/month
CH 57101 26025	Equipment Repair (Data Entry)	$ 420/month

b) That the maintenance schedule be in effect for a 36 month period, starting 1995 October 1, with options for termination at the end of the term of Council or upon 30 days notice, subject to any discount penalties that may apply.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Maintenance costs will be reduced by approximately $13,000 per year if the higher discount rate is applied and maintenance is renewed for a 36 month period.

BACKGROUND:

The City of Hamilton currently operates an IBM mainframe computer system that is maintained by IBM Canada Ltd.

As the result of IBM Canada internal continuous improvement initiatives, they have determined a cost-saving method of billing for maintenance services that saves IBM internal billing costs that they are prepared to pass on to the customer. Instead of producing a series of individual equipment billings each month, a single monthly invoice is received. equipment added or removed from the maintenance schedule (within a 3% range) does not affect the monthly billing amount. In this manner, there is considerable less work involved both within IBM and at the customer site in terms of processing invoices and payments.

The penalties for early cancellation of the maintenance contract are variable depending on the circumstances. Penalties are generally invoked if the 36 month maintenance contract period is broken. In reviewing the likelihood of the penalties being invoked vs the savings of the higher discount rate, accessing the higher discount rate is recommended.

9.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 12

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: G. Baker
Fire Chief

P. Noé Johnson
City Solicitor

SUBJECT: Standard Contract for Communications Services

RECOMMENDATION:

That the City of Hamilton enter into an agreement for the provision of dispatch service by the Hamilton Fire Department for each of the area municipal fire departments within the Regional Municipality of Hamilton-Wentworth (Ancaster, Dundas, Flamborough, Glanbrook and Stoney Creek).

for G. Baker

P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

That the City of Hamilton will continue to experience revenue from each of the area municipal fire departments. Communication charges to area municipalities for 1994 totalled $195,656. based on regionalized assessment.

No staffing implications as a result of these agreements.

An agreement similar to the attached will be entered into with all the area municipal fire departments.

contd...

BACKGROUND:

As a result of the new Trunked Radio System the Hamilton Fire Department with the assistance of the Law Department has been in negotiations with the area fire departments to develop a "Standard Contract for Communications Services".

After several months of meetings, all parties on behalf of their respective departments have agreed to present the final draft to their councils at their September 1995 meetings.

An agreement was prepared by the Law Department (sample attached) for each municipality within the Regional Municipality of Hamilton-Wentworth. These agreements will be carried forward by the local Municipal Fire Chiefs to their respective councils for approval.

attachment

Sample DRAFT

THIS AGREEMENT made in quadruplicate the (specify) day of (specify), 1995.

BETWEEN:

THE CORPORATION OF THE CITY OF HAMILTON

(Hereinafter referred to as "Hamilton")

OF THE FIRST PART,

- and -

THE TOWN OF ANCASTER

(Hereinafter referred to as "Ancaster)"

OF THE SECOND PART.

WHEREAS Hamilton for its own purposes operates The Hamilton Fire Department serving the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario;

AND WHEREAS Ancaster for its own purposes operates The Ancaster Fire Department serving Ancaster, in the said Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the said Hamilton Fire Department for its own purposes operates and maintains a communications centre and facility (the "Communications Centre") by which it is providing certain Fire Department related communication services ("such communication services") for Hamilton and all of the other municipalities ("such other municipalities") within the said Regional Municipality (other than Ancaster);

AND WHEREAS the cost of maintaining and providing such services as rendered by Hamilton's said Fire Department for such other municipalities has been shared by them as determined by the equalized assessment of such other municipalities receiving such communication services;

AND WHEREAS the parties have agreed that such communication services shall be provided to Ancaster on the understandings and agreements hereinafter set out;

AND WHEREAS the parties hereto have agreed as hereinafter set out;

NOW THEREFORE this Agreement witnesseth that, in consideration of the covenants and agreements herein, the parties agree as follows:

1. Subject to what is hereinafter set out and to the extent that the Communications Centre shall receive Fire Department related emergency communications from the public and/or other sources from, within or relating to Ancaster the same will be transmitted by the Communications Centre to the communication facilities of the Fire Department

operated by Ancaster as hereinafter specified and/or defined and which services (together with the other services set out in paragraph 2 below) will be provided by the Communications Centre on a 24 hour basis, subject to the terms of this Agreement. Such communication facilities of the Fire Department operated by Ancaster shall extend to and include such pagers, radios installed in vehicles and/or fire fighting apparatus and remotely activated sirens as are used for or by such Fire Department by its authorized personnel (including volunteer fire fighters) provided that the details of such have been supplied by Ancaster to Hamilton in writing and the same have been acceptable to Hamilton.

2. In addition to the services to be provided to the Fire Department of Ancaster, as provided for in paragraph 1 above, Hamilton agrees through its said Fire Department to:

(a) Subject to City of Hamilton By-laws and the Hamilton Fire Department's policies, provide and maintain at its Communications Centre voice recorded information of all telephone calls, radio and dispatch communications relating to those communications received and/or transmitted under the provisions of paragraph 1 above;

(b) Provide a line of communication between the Emergency 911 Bureau operated by The Regional Municipality of Hamilton-Wentworth and the Fire Department of Ancaster;

(c) Maintain reports and data applicable to such Fire Department related emergency communications received and communicated by the Communications Centre in accordance with the provisions of paragraph 1 above and to provide copies of the same to the said Fire Department of Ancaster as required;

(d) Maintain up-to-date maps and street directories of Ancaster for use by the Communications Centre provided that Ancaster shall be responsible for providing the Communications Centre with all necessary maps and street directories as required;

(e) Provide and maintain a Geographical Information System mapping system for Ancaster when such information and system is available;

(f) Provide through the Communications Centre testing of the tone encoding system(s) as utilized in the providing of the services referred to in paragraph one above at times and dates to be agreed upon by both of the parties hereto provided that in the absence of such agreement such times and dates as shall be reasonably determined by Hamilton's said Fire Department.

3. The term of this Agreement shall commence on the day that both parties have executed this Contract and shall continue until November 15, 1997 on the understanding that either party shall have the right to terminate this Agreement on at least six months' written notice to the other party in that regard, provided that in the absence of such notice by either party during such term this Agreement shall automatically be renewed for a further three year term to November 15, 2000 on the same terms and conditions as herein set out, save and except as to any further renewal. Any such written notice to such other party as provided for in this paragraph shall be given to both its Clerk and Chief of its Fire Department.

4. With respect to all radio and other equipment required to be used by the said Fire Department of Ancaster, in order to receive all of the communications referred to in

paragraph 1 above (which radio equipment is hereinafter referred to as "Ancaster's radio equipment") Ancaster shall be responsible for providing and operating Ancaster's radio equipment and for all requisite maintenance, repairs and/or replacements and for obtaining all necessary licences for the operation thereof.

5. It is understood and agreed that Hamilton in its discretion shall determine the nature and extent of operating, maintaining, repairing and replacement of the Communications Centre (and any part or parts thereof) during the term of this Agreement provided that the cost of such operating, maintaining, repairing and replacement of the Communications Centre (and any part of parts thereof) shall be determined and calculated with reference to the equalized assessment of each of the participating municipalities of the said region (including Ancaster) receiving such services and Ancaster shall pay to Hamilton Ancaster's share of the cost of such operation, maintenance, repair and/or replacement of the Communications Centre as determined on the foregoing equalized assessment basis, such payments to be made in accordance with the following provisions:

   (i) Such payments shall be made on a monthly basis;

   (ii) Each monthly payment (and any other annual requisite adjustment payment) shall be due and payable by Ancaster within 30 days of receipt of an appropriate notice for such monthly payment.

   Hamilton agrees to give Ancaster an account showing the basis for Ancaster's equalized assessment of the next year, by November 15th of each year of this Agreement.

   Hamilton agrees to use its best efforts to give Ancaster as much notice of any increase in the cost of the services as is possible, having regard to the communication system requirements.

6. With respect to any and all services required to be performed by Hamilton (through its said Fire Department or otherwise) pursuant to the terms of this Agreement (which services are hereinafter referred to as "such services") the following agreements and provisions shall be applicable:

   (a) Ancaster covenants and agrees to indemnify and save harmless Hamilton from and against all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss in connection with loss of life, bodily injury or damage to property arising from or out of the obligations of the parties in this Agreement unless caused by the negligence of Hamilton. The parties agree that the liability of Hamilton shall be limited to the yearly payment by Ancaster to Hamilton in the year the damage arose and Ancaster agrees to indemnify Hamilton for any damage, actions, demand, interest, costs, expenses, and claims above this figure.

   (b) The parties agree that Hamilton is under no liability for any delay and/or interruption of, or with respect to, any service due to strikes or other labour disputes, riots, floods, fires, environmental evacuation, acts of God, force majeure, mechanical breakdown or causes reasonably beyond the control of Hamilton and affecting Hamilton's Communications Centre. Hamilton shall not be required to supply any such services to Ancaster while interruption of such services due to any such cause or causes shall continue.

   The parties agree that if, during such interruption of service, each of the parties can create and agree on an alternate dispatch system, the services will be

reinstated on the alternative dispatch service to the degree possible under the new dispatch system.

(c) The responsibility of Hamilton in providing such services to Ancaster under and/or pursuant to the provisions of this Agreement does not extend in any way to determination of how and/or to what extent the said Fire Department of Ancaster shall respond to any emergency situation and/or employ and/or otherwise use its emergency services for dealing with any such emergency situation and/or message as shall be communicated to the said communications facilities of the said Fire Department of Ancaster.

(d) Ancaster shall be responsible for providing, maintaining and operating its said radio equipment and providing the same to be compatible with the communication system used by the Communications Centre incorporated in and/or used in connection with the Communications Centre for the transmission of emergency communications to the said Fire Department of Ancaster. For clarification purposes it is herewith stated as being understood and agreed that it is the responsibility of Ancaster through its said Fire Department to provide and maintain such radio equipment and communication facilities at its own cost and expense as shall be reasonably required to receive the emergency communications as referred to in paragraph 1 above from the Communications Centre.

7. It is agreed that:

(a) Hamilton's said Fire Department through its Chief (and in his absence by his designate) is authorized to represent Hamilton with respect to the subject matters of the Agreement herein.

(b) The Fire Department of Ancaster through its Chief (and in his absence by his designate) is authorized to represent Ancaster with respect to the subject matters of this Agreement.

8. The parties agree that this Agreement represents the entire agreement between them and no verbal understandings or agreements shall alter, change or modify the terms and provisions of this Agreement; and hence it is expressly understood and agreed that in entering this Agreement and agreeing to provide the services herein pursuant to the terms hereof, Hamilton makes no warranties or representations as to the capability, capacity and/or function ability of the Communications Centre and/or the communication equipment used in connection therewith.

9. It is understood and agreed that neither party hereto shall have the right to assign or transfer its respective interest in the Agreement herein to any other party or parties.

10. Where reference is made in this Agreement to the providing of any services by Hamilton it is understood that the same are to be provided by the said Fire Department of Hamilton, and similarly where the recipient of such services is stated to be Ancaster, the same shall refer to the said Fire Department of Ancaster by way of the communications facilities of such Fire Department.

11. Ancaster through its said Fire Department shall conform to all rules and procedures as shall be laid down and/or prescribed by or through the authority of the Chief of the said Fire Department of Hamilton insofar as the same relate to the services to be

provided by Hamilton to Ancaster and/or the latter's said communications facilities. Failure by Ancaster and/or its said Fire Department to conform to any such rules and/or procedures or to make payments required by paragraph 5, shall give Hamilton the right to forthwith terminate this Agreement.

12. The parties agree that Ancaster may submit specific standard operating procedures for that municipality concerning the subject matter of this Agreement to Hamilton. These standard operating procedures do not become effective until Hamilton has accepted the policy and the parties have received agreement to the amended policy from the other area municipalities within The Regional Municipality of Hamilton-Wentworth.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals, under the hands of their duly authorized officers in that behalf.

Signed, Sealed and Delivered
in the Presence of:

THE CORPORATION OF THE CITY OF HAMILTON
per:

_____
Mayor

Date:_____

_____
City Clerk

Date:_____

THE TOWN OF ANCASTER
per:

_____ (seal)
Mayor

Date:_____

_____
City Clerk

Date:_____

DATED THIS (SPECIFY) DAY OF (SPECIFY), 1995

B E T W E E N:

THE CORPORATION OF THE CITY OF HAMILTON

AND

THE TOWN OF ANCASTER

A G R E E M E N T

Re: Communication Services Agreement - Ancaster

Law Department
City Hall
71 Main Street West
P.O. Box 2040
Hamilton, Ontario
L8N 3T4
File: 20-319/94.1
LEF:as

Hamilton Construction Association
370 York Blvd., Suite 100
Hamilton, Ontario L8R 3L1
Tel: (905) 522-5220 Fax: (905) 572-9166

August 22, 1995.

10.

Mr. Bob Charters, Chairman,
Finance and Administration Committee,
City of Hamilton,
71 Main Street West,
Hamilton, Ontario. L8N 3T4

Dear Mr. Charters:

RE: Regional Review of Fair Wage Schedule/Ontario Fair Wage Schedule

You will know the Region has before its meeting this evening, a recommendation to review its Fair Wage Schedule given changes to the Ontario Fair Wage Schedule.

We have requested the Regional Council resolution call for including the City of Hamilton in recognition of the Region and City intentionally having identical Fair Wage Policies. To maintain this coordinated approach the City should be involved in the discussions, and we urge you, as Chairman of the City Finance and Administration Committee, to assist with approval by the City of its staff participation.

Thank you for your assistance.

Yours truly,

HAMILTON CONSTRUCTION ASSOCIATION

J. Cameron Nolan, B.A.,
Executive Director.

Rec'd & referred to next meeting
App'd by Committee 1995 Aug. 22
App'd by Council

JCN:jem

cc: R. Guidolin, HCA President
All City Council
T. Anderson, Chairman, RHW Transportation Services Committee

11.

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO:	Alderman B. Charters, Chairman and Members, Finance and Administration Committee	YOUR FILE:	
FROM:	Susan K. Reeder, Secretary Finance and Administration Committee	OUR FILE: PHONE:	 546-2753
SUBJECT:	Appointment of Council representatives to serve on the Hamilton Status of Women Sub-Committee	DATE:	1995 September 8

As you are aware, the Finance and Administration Committee at its meeting held Tuesday, 1995 August 22nd, were in receipt of a report from the Selection Committee respecting the appointment of citizen members, and Council representatives to serve on the Hamilton Status of Women Sub-Committee.

In this regard, the Finance and Administration Committee approved the following citizens to be apointed to serve on the Hamilton Status of Women Sub-Committee for a term to expire 1997 November 30:

Jeanne M. Bernard
Alison R. Diamond
Wanda M. Dzierzbicki
Bendicta O. Egbo
Beth Fraser
Rosemary Giles
Colleen Howey
Frederika Kammerer
Joan M. MacDonald
Beverly Mathers
Deborah Miller
Susan Smith
May Toth
Elizabeth Wonnacott
Gerri Yachetti

With respect to the Council representatives, the Finance and Administration Committee at its meeting were advised by Alderman Kiss and Alderman Wilson that they were interested in serving on the Sub-Committee. The Committee was also advised that Alderman Caplan had expressed an interest in serving. In this regard, it was agreed that the Committee Secretary would ask Alderman Caplan if he wished to be appointed.

Further to the Committee's direction, I spoke to Alderman M. Caplan and was advised that he was interested in serving. Thus, to date, three members of City Council, namely Aldermen Caplan, Kiss and Wilson have indicated that they wish to be appointed as the Council representatives on the Hamilton Status of Women Sub-Committee.

SKR

3.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 September 19th
1:30 o'clock p.m.
Room 233, City Hall

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

(i) Minutes of the regular meeting held on Tuesday, 1995 August 22nd

(ii) Minutes of a special meeting held on Tuesday, 1995 August 29th

B. CITY CLERK

(i) Use of Council Chambers - Rwanda Solidarity Committee - 1995 September 27th

(ii) Use of Second Floor Foyer - World Vision Canada

(iii) Message of Congratulations to the Hamilton Chamber of Commerce on its 150th Anniversary in a Special Edition insert in The Spectator

(iv) Change of Date for use of Forecourt - Heart of the City Line Dance

(v) Use of Council Chambers - 1995 September 16 - World Bocce Championship Reception

(vi) Use of City Hall Forecourt - German Band Performance - 1995 September 27th

(vii) Use of Council Chambers - Reception - Italian Airforce Veterans Association - Saturday, 1995 October 14th

C. TREASURER

(i) Authorization to enter into Extension Agreements on Specific Properties for the Payment of Realty Tax Arrears

(ii) Information Report - Corporate Overview of Quarterly Reports as at 1995 June 30th

(iii) Information Report - Financial Accounts and Other Non-Departmental Quarterly Reports as at 1995 June 30th

D. **DIRECTOR OF PROPERTY**

(i) Roof Replacement, Sir Allan MacNab Recreation Centre

(ii) CUP-Cogeneration Alternative Site Study

(iii) Carpet Replacement City Hall 5th, 6th, & 7th Floors

(iv) Direct Purchase of Natural Gas

E. **COMMISSIONER OF HUMAN RESOURCES**

Appointments to and Terminations from Permanent Positions

F. **DIRECTOR OF INFORMATION SYSTEMS**

(i) Supplier for Microcomputer Workstations

(ii) Leasing Supplier for Mircrocomputer Workstations and Printers

G. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Information Items

Tuesday, 1995 August 22
1:30 o'clock p.m.
Room 233, City Hall

A. (i)

The Finance and Administration Committee met.

There were present:
Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Mayor Robert M. Morrow
Alderman D. Drury
Alderman T. Anderson
Alderman D. Wilson
Alderman M. Kiss
Alderman V. Agro

Also present:
Alderman M. Caplan
Alderman G. Copps
Alderman H. Merling
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
J. J. Schatz, City Clerk
R. Sabo, Law
P. Lampman, Building
T. Daw, Treasury
R. Menagh, Human Resources
D. Vyce, Director of Property
C. Secore, Treasury
P. Baker, General Manager, Hamilton Parking Authority
P. Hooker, Law
J. Johnston, Commissioner of Human Resources
T. Bradbury, Treasury
J. Lessing, Law
Fire Chief Baker
Deputy Fire Chief Smith
Susan K. Reeder, Secretary

A G E N D A

1. PUBLIC MEETING - Development Charges

The Committee was in receipt of a report from the Chairman of the Review of the Development Charges Committee, dated 1995 August 16.

Staff gave an overview of the present Development Charges By-law. The Chairman opened the floor to listen to comments from the public, and no one chose to speak.

Some questions then ensued from the members of the Committee.

The Committee then agreed to "receive" the report from the Chairman of the Review of the Development Charges Committee as noted above, and the Chairman confirmed that the presentation of the Proposed New Development Charges will be presented at a second Public Meeting being held on Tuesday, 1995 August 29th, prior to City Council.

2. PRESENTATIONS/DELEGATIONS

(a) Parking Authority - Financial Report and Strategies

Peter Baker, General Manager of the Hamilton Parking Authority gave a presentation to the Committee for the purpose of providing a status update on the activities of the Parking Authority of the City of Hamilton.

Following the presentation some discussion ensued with respect to the reasons for the decreased of the downtown parking lots; the Authority's financial situation and present activities. Some discussion also ensued on where the revenues generated by meter fees and parking fines are directed.

The Committee then thanked Mr. Baker for his presentation, and agreed to "receive" this information.

(b) Theatre Aquarius - Tax Relief Submission

The Committee was in receipt of an Information Report from the Treasurer dated 1995 June 30, respecting the above noted matter.

The Committee was also in receipt of correspondence from James A. Scarfone, Vice-President of Theatre Aquarius dated 1995 July 24th, requesting an opportunity to speak to the Committee about its recent decision at its 1995 July 4th meeting to take no action on the request of Theatre Aquarius for support of its Private Members' Bill for tax exempt status.

Mr. Scarfone then addressed the Committee on the reasons why the request of Theatre Aquarius should be approved. The members of the Committee then questioned Mr. Scarfone, and general discussion ensued.

The Committee approved the following:

(a) That the City of Hamilton support the request of Theatre Aquarius for a Private Members Bill for tax exempt status, on the condition that it apply only for the duration of the Theatre's present mortgage of approximately fifteen (15) years; and,

(b) That Theatre Aquarius submit to the City Treasurer a plan for repayment to the City of the current tax arrears owing.

Note: Alderman Drury and Alderman Ross opposed.

(c) Royal Canadian Legion - Property Tax Relief

Mr. Clark, President and Mr. Gallagher, Secretary of Branch 163, Royal Canadian Legion appeared before the Committee with respect to their request for consideration of property tax relief. In this regard, the Committee was in receipt of correspondence from the Legion dated 1995 June 15th.

Mr. Clark and Mr. Gallagher outlined to the Committee the financial difficulties they are presently encountering, as well as to describe the number of community charitable activities that their branch has donated to in the past.

Some discussion then ensued with the Committee, including past relief given to one of the City Legions, and a 1980's Council policy to allow for property tax relief to Legions.

The Committee then agreed that this matter be tabled, and that the City Treasurer report back to the next meeting of the Committee on this request with proposed solutions to assist the Royal Canadian Legion, Branch 163.

3. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda, and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1995 July 4th. The Committee approved these minutes as circulated.

B. CITY CLERK

(i) Request for the Use of the City Hall Forecourt - Saturday, 1995 October 14 - Credit Union Charity Fest

The Committee was in receipt of a report from the City Clerk dated 1995 July 5, respecting the above noted matter.

The Committee approved the following:

(a) That approval be given to the Credit Union Charity Fest to use the City Hall Forecourt on Saturday, 1995 October 14 between the hours of 9:00 o'clock a.m. until 5:30 o'clock p.m., for the promotion of Credit Union Week in Hamilton and the raising of funds for various charities; and,

(b) That the City Clerk be granted authority to approve similar use in future years provided it does not interfere with any other activity.

(ii) Use of City Hall forecourt for an Overnight Demonstration - Women's Centre of Hamilton-Wentworth - Wednesday, 1995 September 6 to Thursday, 1995 September 7

The Committee was in receipt of a report from the City Clerk dated 1995 August 8, respecting the above noted matter and approved the following:

That the request from the Women's Centre of Hamilton-Wentworth to use the City Hall Forecourt for an overnight demonstration from 4:00 o'clock p.m. on Wednesday, 1995 September 6 until 12:00 o'clock noon on Thursday, 1995 September 7 be approved.

(iii) Request for the Use of the City Hall Forecourt - Saturday, 1995 August 5 - "Co-Operation for Peace"

The Committee was in receipt of a report from the City Clerk dated 1995 July 17, respecting the above noted matter.

The Committee approved the following:

That approval be given to the action taken by the City Clerk in authorizing "Co-operation for Peace" to use the City Hall Forecourt on Saturday, 1995 August 05, between the hours of 8:30 o'clock p.m. until 11:30 o'clock p.m., for a candlelight vigil commemorating the 50th Anniversary of the Bombing of the Japanese Cities of Hiroshima and Nagasaki.

(iv) **Use of City Council Chambers - Saturday, 1995 August 19 - Hamilton Mundialization Committee**

The Committee was in receipt of a report from the City Clerk dated 1995 August 4, respecting the above noted matter.

The Committee approved the following:

> That approval be given to the action taken by the City Clerk in authorizing the Hamilton Mundialization Committee to use the City Council Chambers on Saturday, 1995 August 19 between the hours of 9:00 o'clock a.m. until 11:00 o'clock p.m. for a reception for a student delegation from Fukuyama, Japan.

(v) **Diocese of Hamilton Request to Use City facilities - Sunday, 1995 August 6**

The Committee was in receipt of a report from the City Clerk dated 1995 August 2, respecting the above noted matter and approved the following:

> That approval be given to the action taken by the City Clerk in authorizing the Diocese of Hamilton to use the City Council Chambers and the Second Floor Foyer on Sunday, 1995 August 6 between the hours of 3:00 o'clock p.m. until 6:00 o'clock p.m. for a ceremony commemorating the 50th Anniversary of the Bombing of Hiroshima.

(vi) **Bill - Procedural By-law**

The Committee was in receipt of a report from the City Clerk dated 1995 July 17, respecting the above noted matter.

The Committee directed that the Procedural By-law, attached to the report, be forwarded to City Council for enactment.

(vii) **Temporary Extension of Liquor Licence - Hamilton Naval Veterans Association - East End Decoration Day Parade - Sunday, 1995 August 27th**

The Chairman advised the Committee that this item is being withdrawn from the Agenda, since the Association has obtained their permit through a different process.

(viii) **Temporary Extension of Liquor Licence - Hamilton Naval Veterans' Association - R.C.N.A. Sports Days - 1995 September 27th**

The Chairman advised the Committee that this item is being withdrawn from the Agenda, since the Association has obtained their permit through a different process.

(ix) **Temporary Extension of Liquor Licence - Main Manor Bar and Cafe, 175 Main Street West - Summers End Charity Barbecue - 1995 September 30th**

The Committee was in receipt of a report from the City Clerk dated 1995 August 22, respecting the above noted matter.

The Committee approved the following:

> That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a temporary extension of liquor licence to The Main Manor Bar and Cafe, 175 Main Street West for a Summers End Charity Barbecue to be held in their adjoining parking lot on 1995 September 30th from 11:00 a.m. until 11:00 p.m., on the condition that the requirements of the Hamilton-Wentworth Regional Police are satisfied.

(x) **Extension of hours of liquor licensed venues in the downtown area - Country Music Week - 1995 September 15 - 18**

The Committee was in receipt of a report from the City Clerk dated 1995 August 22, respecting the above noted matter.

The Committee approved the following:

That the Liquor Licence Board of Ontario be advised that the City of Hamilton deems the Country Music Week being in held in Hamilton on 1995 September 15 - 18 as an event of municipal significance, and as such has no objection to the following list of licensed venues being allowed to operate until 2:00 o'clock a.m. during this time:

Hamilton Convention Centre; Sheraton Hamilton Hotel; The Royal Connaught Hotel; Ramada Hotel Hamilton; Amigos; Cat N'Fiddle; Chuggies; Corktown Tavern; Dallas Roadhouse; DiMaggio's Downtown; Gaslight Bar & Grill; Ivory's Restaurant; Jake's Tap & Grill; La Luna; Lazy Flamingo; Mustang Saloon; New Dynes Tavern; Oliver's; Ragin' Cajun; Texas Border Grill & Boot Bar; The Gown & Gavel; The Plantation Inn; The Scotsman Pub; The Winking Judge; Whiskey Joe's; X Club.

(xi) **Special Occasion Permits - World Curling Championships - 1996 March 23 - 31**

The Committee was in receipt of a report from the City Clerk dated 1995 August 21, respecting the above noted matter.

The Committee approved the following:

That, pursuant to the provisions of the Liquor Licence Act of Ontario, the Council of the Corporation of the City of Hamilton deems the 1996 World Curling Championships, to be held at Copps Coliseum in Hamilton 1996 March 23 - 31, to be an event of municipal and international significance; and further that the Liquor Licence Board of Ontario be advised that the City has no objection to the issuance of a Special Occasion Permit for various areas within Copps Coliseum for the duration of the event.

ADDED

(xii) **Extension of Hours of Liquor Licensed Venue - Fifth Annual Labatts/Slo-pitch Ontario Championships - 1995 September 1, 2, 8, 9 - Convention Centre**

The Committee was in receipt of a report from the City Clerk dated 1995 August 22, respecting the above noted matter.

The Committee approved the following:

That the Liquor Licence Board of Ontario be advised that the City of Hamilton deems the Fifth Annual Labatts/Slo-pitch Ontario Championships being held in Hamilton on 1995 September 1-3 and 1995 September 8-10 as an event of municipal significance, and as such has no objection to the Hamilton Convention Centre being allowed to operate until 2:00 o'clock a.m. on Friday, 1995 September 1; Saturday, 1995 September 2; Friday, 1995 September 8th, and Saturday, 1995 September 9th.

C. TREASURER

(i) Financing of City's Share of Costs in Wisemount Estates Phase 3 and Edan Heights Phase 3

The Committee was in receipt of a report from the Treasurer dated 1995 July 28, respecting the above noted matter and approved the following:

> That as referred to in Section 39 of the Eighth Report for 1995 of the Transport and Environment Committee, approved by City Council on 1995 June 27, the City's share of the modification to construct the 1.5 metre sidewalks adjacent to the curb and eliminate the 1.0 metre boulevard within the plans of the subdivisions of Wisemount Estates Phase 3 and Edan Heights Phase 3, at a cost of $6,000., be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

(ii) Financing of the Construction of an Independent Concrete Sidewalk on the South Side of Rymal Road East from Upper James Street to Springsdale Drive

The Committee was in receipt of a report from the Treasurer dated 1995 July 20, respecting the above noted matter.

The Committee approved the following:

(a) That as referred to in Section 5 of the Tenth Report for 1995 of the Transport and Environment Committee, Section 20 of the Fifteenth Report of the Finance and Administration Committee adopted by City Council on 1995 May 30 be rescinded; and,

(b) That the City Solicitor be authorized to prepare an appropriate By-Law to construct an independent concrete sidewalk on the south side of Rymal Road from Upper James Street to Springside Drive under the Local Improvement Act at an estimated cost of $74,800. with the City's share of $24,133.30 to be financed from the 1995 Capital Levy (Account Centre No. CH 22002) and the balance of $50,666.70 being the owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $50,666.70 for a term not to exceed 20 years for the above project.

(iii) Financing of the Construction of an Independent Concrete Sidewalk on the East side of Upper Gage Avenue between the Freeway and Stone Church Road

The Committee was in receipt of a report from the Treasurer dated 1995 July 20, respecting the above noted matter.

The Committee approved the following:

(a) That as referred to in Section 6 of the Tenth Report for 1995 of the Transport and Environment Committee, Section 5 of the Fourteenth Report of the Finance and Administration Committee adopted by City Council 1995 May 9 be rescinded; and,

(b) That the City Solicitor be authorized to prepare an appropriate By-Law to construct an independent concrete sidewalk on the east side of Upper Gage Avenue from Stone Church Road to Quail Drive and from approximately 72 m south of Loconder Drive (south limit no. 1285) to Loconder Drive under the Local Improvement Act at an estimated cost of $24,790. with the City's share of $3,375. to be financed from the 1995 Capital Levy (Account Centre No. CH 22002) and the balance of $21,415. being the owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $21,415. for a term not to exceed 20 year for the above project.

(iv) **Financing of the Construction of an Independent Concrete Curb on the south side of Glenfern Avenue from Mountain Avenue to approximately 32m easterly**

The Committee was in receipt of a report from the Treasurer dated 1995 August 15, respecting the above noted matter.

The Committee approved the following:

That as referred to in Section 3 of the Tenth Report for 1995 of the Transport and Environment Committee, the Commissioner of Public Works and Traffic be authorized to prepare an appropriate By-Law in a form satisfactory to the City Solicitor to construct an independent concrete curb on the south side of Glenfern Avenue from Mountain Avenue to approximately 32m easterly (flankage of 61 Mountain Avenue) under the Local Improvement Act at an estimated cost of $2,900. with the City's share of $2,263. to be financed from the 1995 Capital Levy (Account Centre No. CH 22002) and the balance of $637. being the owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $637. for a term not to exceed 20 years for the above project.

ADDED - CITY TREASURER - MacNab-Charles Heritage Conservation District Proposal to Bury Overhead Wires and Install Historic Street Lighting - Financing

The Committee was in receipt of an added report from the City Treasurer dated 1995 August 22, respecting the above noted matter and approved the following:

That as referred to in Section 47 of the Tenth Report for 1995 of the Transport and Environment Committee, the estimated $100,000. to bury the overhead Hamilton Hydro Electric System, Bell Canada and Cable TV wires on MacNab Street South between Bold and Hurst, and on Charles Street between Bold and Hurst and on Hurst Place between MacNab and Park, be financed from the Reserve for Capital Projects, Account Centre No. CH 00203, as a part of the 1995 Road Reconstruction Program and the authorized cost of the 1995 Road Reconstruction Program be increased by $100,000. from $8,525,000. to $8,625,000. It is further recommended that the City Solicitor be authorized to revise By-law No. 95-090 accordingly.

(ii) **Bill - Eating Establishments**

The Committee was in receipt of a report from the City Solicitor dated 1995 August 15, respecting the above noted matter.

The Committee directed that the By-law to amend By-law No. 93-069, respecting Eating Establishments, attached to the report, be forwarded to City Council for enactment.

(iii) **Bill - Interior Advertising in Taxi-Cabs**

The Committee was in receipt of a report from the City Solicitor dated 1995 August 15, respecting the above noted matter.

The Committee directed that the By-law to amend By-law No. 93-069, respecting Interior Advertising in Taxi Cabs, attached to the report, be forwarded to City Council for enactment.

(iv) **Bill - Adult Video By-law**

The Committee was in receipt of a report from the City Solicitor dated 1995 August 22, respecting the above noted matter.

The Committee directed that the By-law to amend By-law No. 93-069, respecting Adult Video By-law, attached to the report, be forwarded to City Council for enactment.

G. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items**

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1995 August 14, respecting the above noted matter, and approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Treasurer - Sale of Tax Arrears Properties - report dated 1995 July 7th

(c) Memorandum - Treasurer and Director of Property - Treasury Department Renovations - memo dated 1995 July 6th

(d) Information Report - City Clerk - Hamilton Status of Women Sub-Committee - report dated 1995 July 4th

(e) Correspondence - Regional Clerk's Office - Sinking Fund Status Report - letter dated 1995 June 28th

(f) Correspondence - Director of Property - Real Estate Division of the Property Department - Services to the Region for the Second Quarter of 1995 - letter dated 1995 July 13th

(g) Information Report - Chief Administrative Officer - Constituent Assembly - City Staff Assistance - report dated 1995 August 15th

(h) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1995 June 30th

(i) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1995 June 30th

(j) Information Report - Treasurer - Cash Management Practice - Safekeeping and Custody of Securities and Securities Lending Agreement - report dated 1995 August 10th

(k) Information Report - Commissioner of Human Resources and City Treasurer - Early Retirement - report dated 1995 August 17

As a number of people were in attendance respecting issues listed on the Agenda, the Committee agreed to review these matters first.

12. DIRECTOR OF PROPERTY

(a) Sale of 11 Arthur Avenue South to Hamilton Habitat for Humanity

With respect to this matter, the Chairman indicated that he has a Conflict of Interest, as he is a Director on the Board for the Hamilton Habitat for Humanity. Alderman Ross, Vice-Chairman then assumed the Chair.

The Committee was in receipt of a report and recommendation from the Director of Property dated 1995 August 9, respecting the above noted matter.

The Committee was also in receipt of an Information Report from the Director of Property dated 1995 August 17th to advise the Committee that an unsolicited Offer to Purchase had been received from Marino Rakovic, owner of 756 King Street East as well as an inquiry call of interest from the owner of the El Greco Restaurant.

A number of representatives from the Arthur Avenue South Community were in attendance and addressed the Committee on their concerns at having the property at 11 Arthur Avenue South sold for residential purposes.

The Committee then discussed this matter and approved the following:

(a) That the proposed sale to Hamilton Habitat for Humanity of 11 Arthur Avenue South, be tabled; and,

(b) That the Chief Administrative Officer be directed to locate an alternate property for use by Hamilton Habitat for Humanity, prior to the next meeting of the Finance and Administration Committee; and,

(c) That the Planning and Development Committee be requested to similarly table the rezoning application on the property at 11 Arthur Avenue South until this matter has been resolved.

Note: Alderman Wilson opposed

4. PRIVATE AND CONFIDENTIAL AGENDA

The Committee moved into an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

AA. Realty Tax Extension Agreement - 39 Mary Street -Martino, MNC Lifecare Group Inc.

(a) That By-law No. 94-159 adopted by City Council on 1994 September 27th, authorizing an Agreement to extend the time open for the payment of tax arrears for the property at 39 Mary Street upon specified terms, and amended by By-law 95-23 adopted by City Council on 1995 January 10 and further amended by By-law 95-23 adopted on 1995 March 28, be further amended to approve the following revised terms :

(i) To extend the time open for the payment of realty tax arrears, by monthly instalments each and every month during 1995 and 1996, excepting September and October and commencing 1995 November 30 (such payment also including portion of 1995 realty taxes), such that all realty tax arrears (and 1995 & 1996 realty taxes) are paid in full on or before 1996 December 31; and,

(b) That the City Solicitor be authorized to prepare, for presentation to City Council, the appropriate By-law to amend By-laws Nos. 94-159, 95-23, and 95-73 to authorize these amendments and to authorize an agreement to amend the Extension Agreement dated 1994 September 28; and,

(c) That the Mayor and City Clerk be authorized to execute the By-law and the Amending Extension Agreement; and,

(d) That, in the alternative, should the owners of 39 Mary Street be able to provide to the City Treasurer a single payment of $87,559.26 on or before 1995 September 30, the City Treasurer, in consideration of the receipt of said monies, be authorized and directed to register a Tax Arrears Cancellation Certificate against the title 39 Mary Street, Hamilton and commence payment arrangements with the owner.

CC. COMMISSIONER OF HUMAN RESOURCES

(i) C.U.P.E. Local 167 Joint Job Evaluation

That the Letter of Understanding with C.U.P.E. 167, respecting the Joint Job Evaluation dated 1995 July 14, be ratified by City Council.

FF. CITY SOLICITOR AND COMMISSIONER OF PUBLIC WORKS AND TRAFFIC DEPARTMENT

(i) City of Hamilton -ats- Mark Sadonoja - Small Claims Court Action No. 2127/94

(a) That the City decline the Plaintiff's offer to settle Small Claims Court Action No. 2127/94 for the amount $1,000., inclusive of all damages, interest and costs; and,

(b) That the City make a counter-offer to the Plaintiff in the following terms:

(i) That the City pay to the Plaintiff the sum of $200., inclusive of all damages, interest and costs; and,

(ii) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(iii) That Small Claims Court Action No. 2127/94 be dismissed without costs.

(ii) **City of Hamilton -ats- Donalda McDonald - Small Claims Court Action No. 160/95**

That the City offer to settle Small Claims Court Action No. 160/95 in the following terms:

(a) That the City pay to the Plaintiff the amount of $677.41, inclusive of all damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Small Claims Court Action No. 160/95 be dismissed as against the City without costs.

(iii) **City of Hamilton -ats- Ecker - Ontario Court (General Division) Action #3461/93**

That the City decline to accept the Plaintiff's Offer to Settle in Ontario Court (General Division) Action No. 3461/93 by payment to the Plaintiff of the sum of $15,000. inclusive.

At this point in the meeting, Alderman Charters, Chairman, left the meeting on personal business, and Alderman Ross, Vice-Chairman, assumed the Chair.

5. CONSTITUENT ASSEMBLY

(a) **Mayor Morrow - Proposed Terms of Reference - Special City Committee to formulate the City's response to the Constituent Assembly on Government Restructuring**

The Committee was in receipt of a report from the Mayor dated 1995 August 21, respecting the above noted matter.

The Committee agreed to tabled this matter and refer it to a Special Meeting of City Council.

(b) **Information - Notice of Motion approved by Regional Council respecting the responsibility for all municipal services.**

The Committee was also in receipt of correspondence from the Regional Clerk dated 1995 June 19, respecting the above noted matter.

The Committee agreed to tabled this matter and refer it to a Special Meeting of City Council.

6. ALDERMAN W. MCCULLOCH - Property Assessment (no copy)

In light of the length of the meeting, Alderman McCulloch asked that this matter be deferred to the next meeting.

7. CITY CLERK

(a) Process of making appointments to Committee's served on by former Alderman D. Agostino

The Committee was in receipt of a report from the City Clerk dated 1995 August 18, respecting the above noted matter along with the following recommendation:

> That consideration be given to determining the manner and timing of appointments to those Committees served on by former Alderman D. Agostino.

Following discussion on this process, the Committee agreed that the filling of the vacancies should be put on hold until such time as the By-Election has been held and the new member of Council elected. It was indicated that at that time, the new Alderman may wish to trade Committees with some of the other Aldermen.

(b) Licence Agreement - Stand No. 176 - Hamilton Farmers' Market - Coffee Shop

The Committee was in receipt of a report from the City Clerk dated 1995 August 18, respecting the above noted matter and approved the following:

> That the City enter into a five year Licence Renewal Agreement with Burton and Marguerite Hubbard and Corrado Belacca, which shall expire on 2000 August 31, for the continued operation of the Hamilton Farmers' Market Coffee Shop, Stand No. 176, at a monthly rate of $439. for 1995, to be adjusted during the term of the Agreement at the pleasure of Council.

8. BINGO HALL REVIEW COMMITTEE - Bingo Country - Relocation Application - 75 Frid Street

The Committee was in receipt of a report from the Secretary of the Bingo Hall Review Committee dated 1995 August 16, respecting the above noted matter.

The Committee approved the following:

(a) That the relocation application by Dabber Bingo Holdings Inc., operating as Hamilton Bingo Country to relocate its Bingo Hall from 690 Main Street West to 75 Frid Street, be approved; and,

(b) That as required in the Provincial Criteria & Procedures for Bingo Halls, the City inform the applicant in writing of its decision and forward the decision to the Registrar, Gaming Control Commission, Ministry of Consumer & Commercial Relations; and,

(c) For the information of members of City Council, copies of the application and relevant background material will be provided under separate cover.

9. CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY - Energy Management of Municipal Facilities

Alderman Ross declared a Conflict of Interest in this matter as he is the Executive Director for the Ontario Municipal Energy Improvement Facility.

Alderman Wilson assumed the Chair.

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1995 August 17, respecting the above noted matter and approved the following:

(a) That the City of Hamilton pursue the opportunity of retaining the energy management services from OMEIF (Ontario Municipal Energy Improvement Facility) to provide a cost effective strategy for retrofitting municipal facilities to conserve energy and water; and,

(b) That City staff liaise with OMEIF staff to evolve this energy management strategy and whatever services are required and bring this information back to a subsequent Finance and Administration Committee meeting; and,

(c) That City Council authorize the Mayor and City Clerk to sign the Memorandum of Understanding between the City of Hamilton and OMEIF in a form satisfactory to the City Solicitor.

10. REFERRAL FROM REGIONAL COUNCIL - Downtown Revitalization - Greater Hamilton Downtown Community Development Corporation - amendment to appoint one area member of Regional Council

The Committee was in receipt of a memorandum from the Regional Clerk's Office dated 1995 July 20, respecting the above noted matter which added to the composition of the Founding Board of one area member of Regional Council, and then approved that Councillor John Prentice be that Representative.

The Committee agreed to "receive" this correspondence for information purposes.

11. DOWNTOWN INITIATIVES COMMITTEE - City Council Representation on the Founding Board of the Greater Hamilton Downtown Community Development Corporation (GHDCDC)

The Committee was in receipt of a report from the Chairman of the Downtown Initiative Committee dated 1995 August 11, respecting the above noted matter.

It was noted that Alderman Charters has expressed an interest in serving on this Board. Further, Alderman Caplan advised the Committee that he has recently been appointed to the Board as a B.I.A. representative.

The Committee then approved the following:

That Alderman B. Charters be appointed to serve on the Greater Hamilton Downtown Community Development Corporation's Founding Board as the Aldermanic representative.

(b) **Offer to Purchase - Sale of City Property 401-403 King Street West, formerly Wesley House to Bruce Laracy**

The Committee was in receipt of a report from the Director of Property dated 1995 August 18, respecting the above noted matter.

The Committee approved the following:

(a) That an Offer to Purchase Agreement, duly executed by Bruce Laracy, on 1995 July 27 and scheduled to close on or before 1995 September 20, for the lands municipally described as 401-403 King Street West, being Lot 4 and part Lot 3, Registered Plan No. 65, Hamilton, having a frontage of 18.22 metres (59.77 feet), along the south side of King Street West and a depth of 40.23 metres (132 feet) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of $125,000., less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $12,500. be held by the City Treasurer pending Council approval; and,

(c) That upon successful completion of this sale, a real estate commission of 2.5% on the $125,000. sale price be paid to Coldwell Banker Elite Realty, who acted in this matter; and,

(d) That $100,000. of the revenue derived from the sale of 401-403 King Street West be conveyed to the Community Adolescent Network (formerly Wesley House), the former occupant of the subject property, to assist in the purchase of the vacant parcel of land on which its' new facility has been erected, as approved by City Council on 1988 April 28. This contribution by the City, to be debited to Account No. CH 5X921 00102, shall have attached to it a "Disposition of Assets" clause, to be negotiated with the Community Adolescent Network and the Province of Ontario, which will in effect state that the City will receive a percentage of any revenues derived from the sale of the property in future years in the event it ceases to be used as a youth home; and,

(e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(f) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory notice has been given to the public of the intended sale;

(ii) An appraisal of the fair market value of the real property intended to be sold was obtained on the 11th day of July 1995;

(iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

13. **DIRECTOR OF PROPERTY AND TREASURER - Treasury Renovations - Construction Contract**

The Committee was in receipt of a Joint Report from the Director of Property and the Treasurer dated 1995 August 15, respecting the above noted matter.

The Committee approved the following:

(a) That the Construction Contract for the Treasury Department renovations including security improvements and vault improvements be awarded to the overall low bidder STF Construction Limited, 148 Stapelton Ave., Hamilton at a cost of $208,289.88 including G.S.T. of $13,626.44; and,

(b) That the estimated G.S.T. Rebate of $7,824.30 be used as Contingency Funds; and,

(c) That the Construction Contract be finalized by the City Solicitor; and,

(d) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City; and,

(e) That the funds are available in Account No's. CF 3191 41005 Treasury Renovations, CF 3191 41004 Security Improvement Requirements - City Hall and CF 3191 41003 - Accommodation Requirements - City Hall.

14. **FIRE CHIEF AND DIRECTOR OF PROPERTY - Fire Station 4 - Macassa Park - Post Construction Improvements**

The Committee was in receipt of a Joint Report from the Fire Chief and the Director of Property dated 1995 August 14, respecting the above noted matter and approved the following:

(a) That the revisions to the Fire Alarm System, improvements to the Communications Centre, additional Storage Facilities and other items as per the list attached herewith and marked Appendix "C" be approved for Fire Station 4 - Macassa Park; and,

(b) That an estimated amount of $60,000., including the contingency amount of $6,000. be charged to Account No. CF 489241009 (Fire Station - Sherman & Fennell).

15. **COMMISSIONER OF HUMAN RESOURCES**

(a) **Reclassifications - Public Works and Traffic Department**

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1995 August 8, respecting the above noted matter.

The Committee approved the following:

(a) That the position of Co-ordinator of Parks Development and Maintenance in the Public Works and Traffic Department be reclassified from Level "I" to Level "H" effective 1994 January 1; and;

(b) That the position of Manager, Community Traffic Services in the Public Works and Traffic Department be reclassified from Level "I" to Level "H" effective 1994 March 1.

(b) **Information Report - City's Application for Judicial Review of Arbitrator Dempster's Award regarding H.M.R.F. 0.7% C.P.P. Offset**

The Committee was in receipt of an Information Report from the Commissioner of Human Resources dated 1995 August 14, respecting the above noted matter.

The Committee agreed to "receive" this report for information purposes.

16. **SELECTION COMMITTEE - Appointments to the Hamilton Status of Women Sub-Committee**

The Committee was in receipt of a report from the Secretary of the Selection Committee dated 1995 August 21, respecting the above noted matter.

The Committee approved the following citizen appointments:

(a) That the following citizens be appointed to serve on the Hamilton Status of Women Sub-Committee for a term to expire 1997 November 30:

Jeanne M. Bernard
Alison R. Diamond
Wanda M. Dzierzbicki
Benedicta O. Egbo
Beth Fraser
Rosemary Giles
Colleen Howey
Frederika Kammerer
Joan M. MacDonald
Beverly Mathers
Deborah Miller
Susan Smith
May Toth
Elizabeth Wonnacott
Gerri Yachetti

The Committee was also in receipt of an added recommendation from the Selection Committee that two members of the Finance and Administration Committee be appointed to serve on the Hamilton Status of Women Sub-Committee.

In this regard, Alderman Kiss and Alderman Wilson indicated that they wished to serve. It was also indicated that Alderman Caplan had expressed an interest in serving. In this regard, it was agreed that the Committee Secretary would ask Alderman Caplan if he wished to be appointed to the Sub-Committee.

17. **OTHER BUSINESS**

The Committee was in receipt of correspondence from J. Cameron, Executive Director of the Hamilton Construction Association dated 1995 August 22nd respecting a Regional review of Fair Wage Schedule/Ontario Fair Wage Schedule.

The Committee agreed to receive this correspondence and referred it to the next meeting of the Finance and Administration Committee on 1995 September 19th.

18. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

ALDERMAN D. ROSS, ACTING CHAIRMAN, AND VICE-CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder.

Susan K. Reeder
Secretary
1995 August 22

DEVELOPMENT CHARGE RESERVE FUND
STATEMENT OF CONTINUITY
FOR THE YEAR ENDED DECEMBER 31, 1994

	Total $	Recreational Facilities $	Parks $	Libraries $	Fire Stations $	Roads & Street Lighting $	Traffic Building and Signs $
Balance at the beginning of the year	4,739,305	1,353,293	738,920	512,395	704,327	1,358,171	72,199
Development charges received or receivable	1,016,179	306,592	167,405	116,084	130,059	283,836	12,203
Development charges refunded	(2,027)	(656)	(359)	(249)	(202)	(546)	(15)
Interest Earned	277,177	83,615	45,655	31,659	35,491	77,426	3,331
	6,030,634	1,742,844	951,621	659,889	869,675	1,718,887	87,718
Transferred to the capital fund	0	0	0	0	0	0	0
Amounts allocated to other services	0	0	0	0	0	0	0
Balance at the end of the year	$6,030,634	$1,742,844	$951,621	$659,889	$869,675	$1,718,887	$87,718

Appendix "A" referred to in Section 19 of the NINETEENTH Report of the Finance and Administration Committee for 1995 August 29

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Anthony Aquino	I	Lead Hand/Truck Driver (D17)	Public Works	Replacing Mr. M. Stephenson - transferred April 07/95	$37,146.72	May 08/95
Ms. Cathy-Lynn Fisher	I	Cemetery Support Clerk II (8C)	Cemetery	Replacing Ms. L. Piper - promoted, January 02/95	$20,960.48 to $28,151.76	June 05/95
Mr. Bob Morley	I	Probationary Fire Inspector (N1C)	Fire	Replacing Mr. W. Jacklin - retired, November 30/94	$34,234.08	July 10/95
Mr. Simon Tam	E	Traffic Operations Engineer (K)	Traffic	Replacing Mr. G. Forbes - promoted, December 30/94	$47,412.56 to $55,811.08	June 05/95

Prepared August 10, 1995

Status
Internal - I
External - E

Appendix "B" referre
to in Section 22 of t
NINETEENTH Rep
of the Finance and
Administration
Committee for 1995

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Anthony Diligenti	Truck Driver	Public Works	Terminated	17 years	June 25/93
Mr. Bruce McCrady	Banquet Manager	H.E.C.F.I.	Terminated	12 years, 4 months	July 08/95
Mr. John Mitchell	Manager Food/Beverage	H.E.C.F.I.	Terminated	3 years, 10 months	June 29/95
Ms. Donna Morrison	Sundry Revenues Clerk	Treasury	Retired	6 years, 8 months	June 30/95
Mr. Mike Trink	Traffic Legislative Techl.	Traffic	Resigned	5 years	June 16/95
Ms. Gertrude Turner	Administrative Assistant I	Clerk's	Retired	22 years, 9 months	June 30/95

Prepared August 10, 1995

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

Appendix "C" referred to in Section 34(a) of the NINETEENTH Report of the Finance and Administration Committee for 1995.

LIST OF ITEMS

ITEM		QUANTITY (ESTIMATE)	REMARKS
1.	Revisions to Fire Alarm System	1 ($28,000.)	Code Requirement
2.	Stainless Steel Sink in Apparatus Bay	1 (1,000.)	Code Requirement
3.	Revisions to stove vent	1 (2,500.)	Code Requirement
4.	File Cabinets at various locations	8 (5,000.)	Additional Storage Needs
5.	Storage Cabinets	4 (1,500.)	Additional Storage Needs
6.	Millwork shelves @ various closets	- (1,000.)	Revised Needs
7.	Tack Boards	7 (1,000.)	Revised Needs
8.	Coat hooks at 10 locations	- (100.)	Missed in Original Tender
9.	Coat Racks	2 (600.)	Revised Needs
10.	Towel Bars @ various locations	6 (300.)	Revised Needs
11.	Shelves in toilets	3 (200.)	Revised Needs
12.	Audio visual cart	1 (500.)	For Lecture Room
13.	Folding tables	10 (3,000.)	For Lecture Room
14.	Sign Board	1 (500.)	To Direct Visitors
15.	LAMACOID Signs	7 (1,400.)	Revised Needs
16.	Water Fountain	1 (2,800.)	Additional Requirements
17.	Task Chairs	6 (3,000.)	For Communication Centre
18.	Tape Storage unit	1 (800.)	For Communication Centre
19.	File Storage	1 (800.)	Mill Work Item for Communication Centre
		$ 54,000.	
	Contingency	6,000.	
	Total	$ 60,000.	

Tuesday 1995 August 29
5:30 o'clock p.m.
Room 233, City Hall

A. (ii)

The Finance and Administration Committee met in Special Session.

Present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice Chairman
Mayor R. M. Morrow
Alderman M. Kiss
Alderman V. J. Agro
Alderman D. Drury
Alderman D. Wilson
Alderman T. Anderson

Also Present: Alderman M. Caplan
Alderman B. Morelli
Alderman G. Copps
Alderman H. Merling
Alderman F. D'Amico
Mr. J. G. Pavelka, Chief Administrative Officer
Mr. A. Ross, Treasurer
Ms. C. Secore, Treasury Department
Ms. P. Noe-Johnson, City Solicitor
Mr. P. Hooker, Law Department
Mr. P. Lampman, Building Department
Mr. D. Vyce, Director of Property
Mr. V. Abraham, Director of Local Planning
Mr. F. Koenig, Hemson Consulting Ltd.
Mr. T. Frailey, Downtown B.I.A.
Mr. L. Szpirglas, Hamilton-Halton Home Builders Association
Mr. C. Nolan, Hamilton Construction Association
Mr. K. Christenson, Acting Secretary

PUBLIC MEETING

The purpose of this meeting was to present the Proposed New Development Charges By-law.

1. **CHAIRMAN, REVIEW OF THE DEVELOPMENT CHARGES COMMITTEE - Development Charges Study - 1995 By-law**

The Committee was in receipt of a report dated 1995 August 16 from the Chairman of the Staff Development Charges Sub-Committee respecting the subject matter.

The Committee was further in receipt of a report distributed at the meeting dated 1995 August 29 from Hemson Consulting Ltd. entitled "City of Hamilton Development Charges Study - Public Meeting".

Mr. Fred Koenig of Hemson Consulting Ltd. addressed the Committee and reviewed the contents of their report.

Subsequently, Mr. Allan Ross distributed and reviewed a report entitled "Overview of New Development Charges Proposal". He indicated that following the public submissions at this meeting the issue of the Development Charges Proposal and the proposed By-law would be referred to the Finance and Administration Committee for consideration at it's meeting scheduled for 1995 September 19 to be followed by a special meeting of City Council to pass the Development Charges By-law.

The Chairman then opened the meeting to the public.

DELEGATIONS

(a) Mr. Todd Frailey - Downtown Hamilton B.I.A., Enfield Group

Mr. Frailey appeared before the Committee and indicated that he was representing the Downtown Hamilton B.I.A. in respect to the issue of Development Charges. He indicated that while he generally supported the Proposed Development Charges as presented, he felt that the Downtown Area should be exempt from Development Charges for new or redeveloped residential development.

(b) Mr. Larry Szpirglas - Hamilton-Halton Home Builders Association

Mr. Szpirglas appeared before the Committee and indicated that he was representing the Hamilton-Halton Home Builders Association in respect to the issue of Development Charges. He indicated that the benefit realized by new housing development in the Hamilton area go beyond the jobs created in the industry. He stated that the spin-off effect on appliance sales, infusion of local taxes, etc. have a positive influence on the local economy and that this industry shouldn't be assessed excessive development charges. He informed the Committee that Hamilton-Halton Home Builders Association was involved in the construction of over 80% of new residential development in the Hamilton area. He indicated that he was satisfied with the staff recommendation and that the Hamilton-Halton Home Builders Association could support the proposal.

(c) Mr. Cam Nolan - Hamilton Construction Association

Mr. Nolan appeared before the Committee and indicated that he was representing the Hamilton Construction Association in respect to the issue of Development Charges. He distributed a report dated 1995 August 29 entitled "Presentation to the City of Hamilton - Public Meeting on the Subject of Development Charges. Mr. Nolan reviewed the contents of his report and indicated the Hamilton Construction Association is in support of the staff recommendation respecting Development Charges.

Committee discussion ensued on the issue of exempting the Downtown Area from Development Charges for new or redeveloped residential development as a way of encouraging growth and prosperity in the core area.

Following discussion, the Committee agreed that the item **be received** and that staff be directed to prepare a report for consideration at the next Finance and Administration Committee Meeting on the potential loss of funds that the City would incur if Development Charges were dropped for residential developments in the Downtown Area.

The Committee further directed that staff report back to the next meeting on the Comparison of Business Taxes and Development Charges in Downtown Hamilton and Toronto, as well as a comparison of square footage business costs in the Downtown Area and other Retail/Business Areas in the City of Hamilton. Mr. Ross indicated that some of these figures may not be available but that he would provide the Committee with information on the issue at it's next meeting.

2. **DIRECTOR OF PROPERTY - Offer to Purchase - 401 - 403 King Street West**

Mr. Vyce informed the Committee that an Offer to Purchase the City owned property at 401 -403 King Street West had been received last Thursday, August 24, after the Finance and Administration Committee had approved a recommendation to accept a previous offer to purchase the property. He indicated that the initial offer accepted by the Committee was $1,500. less than the latter offer but added that it was received "after the fact" and therefor should not be considered. The Committee agreed that the information be received.

3. **MAYOR R. M. MORROW - Constituent Assembly**

Mayor Morrow raised the issue of the Constituent Assembly and indicated that the City had yet to take a position on the matter. Following considerable discussion, the Committee approved the following recommendation:

> That the Mayor call a special meeting of City Council within two weeks time, in order to address the City's position respecting the Constituent Assembly.

4. **ADJOURNMENT**

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Kevin C. Christenson
Acting Secretary
1995 August 29

B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 7

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **Use of Council Chambers - September 27, 1995**
Rwanda Solidarity Committee

RECOMMENDATION:

a) That approval be given to the action taken by the City Clerk in authorizing the Rwanda Solidarity Committee to use the Council Chambers from 7:00 p.m. to 9:30 p.m. on Wednesday, 1995 September 27 for a presentation ceremony.

b) That the City Clerk be granted authority to approve a similar use in future years, provided it does not interfere with any other activity.

S. J. Holland for
J. J. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Rwanda Solidarity Committee (former Rwandan Crisis Relief Committee) started in 1994 with the support of Hamilton Mundialization Committee.

On September 27, 1995, the Committee wishes to use the Council Chamber in order to present a cheque to Oxfam - Canada for its project to restore peace in Rwanda.

cc Mayor's Office
R. Swan, Manager, Building Operations and Maintenance Division
Information Desk

B. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 7

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **Use of Second Floor Foyer - World Vision Canada**

RECOMMENDATION:

a) That approval be given to the action taken by the City Clerk in authorizing World Vision Canada to use the Second Floor Foyer on Friday, 1995 September 29 from 6:00 p.m. to 9:00 p.m. for a slide presentation with regard to the World Vision Canada Ipililo Child Sponsorship Project.

b) That the City Clerk be granted authority to approve a similar use in future years, provided it does not interfere with any other activity.

S. J. Hollowell for
J. J. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

World Vision Canada are proposing to use the Second Floor Foyer at City Hall on Friday, 1995 September 29 in order to make a formal introduction of the World Vision Canada Ipililo Child Sponsorship Project to the people of Hamilton.

cc Mayor's Office
R. Swan, Manager, Building Operations and Maintenance Division
Information Desk

B.

(iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: S. G. Hollowell
Acting City Clerk

SUBJECT: Message of Congratulations to the Hamilton Chamber of Commerce on its 150th Anniversary in a Special Edition insert in The Spectator

RECOMMENDATION:

(a) That approval be given to the action taken to purchase a Message of Congratulations to the Hamilton and District Chamber of Commerce for its 150th Anniversary in a Special Edition insert in The Spectator to be published on Tuesday, 1995 September 19th at a cost of $550., plus G.S.T.; and,

(b) That funds for this expenditure be derived from Account No. CH 56302 12000 (Advertising and Promotion Account - City Clerk).

S. Hollowell

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Publication cost for the message of congratulations is $550. plus GST. Funds are available for this expenditure in Account No. CH 56302 12000 (Advertising and Promotion Account - City Clerk).

BACKGROUND:

Correspondence and telephone communication were received from The Spectator requesting that the City participate in congratulating the Hamilton and District Chamber of Commerce on its 150th Anniversary in a special edition insert in The Spectator to be published on Tuesday, 1995 September 19th. Deadline for booking space in the Edition was Friday, 1995 September 8th.

Due to the lateness in being requested by The Spectator to participate, and in order to determine whether approval of this request would be given, the Chairman directed that members of the Finance and Administration Committee be polled to determine whether members of the Committee were in support of this request.

A poll was conducted and approval was received. Approval of the above-noted recommendation will ratify the poll.

B. (iv)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: S.G. Hollowell,
Acting City Clerk

SUBJECT: **Heart of the City Line Dance**
Change of Date for use of Forecourt

RECOMMENDATION:

That approval be given to the action taken by the Acting City Clerk in authorizing the change of date for the use of the Forecourt by the Heart of the City Action Centre, for the "Biggest Country Line Dance", from Friday, 1995 September 15 - 3:00 - 8:00 p.m. to Saturday, September 16 - 1:00 - 5:00 p.m.

S. G. Hollowell

BACKGROUND:

City Council at its meeting of 1995 August 29 approved the request of the Heart of the City Action Centre to hold the "biggest country line dance" on the forecourt on Friday, 1995 September 15 from 3:00 p.m. to 8:00 p.m. with live or recorded music from 5:00 p.m. to 8:00 p.m.

The Heart of the City Action Centre subsequently requested a change of date and time to Saturday, September 16 from 1:00 p.m. to 5:00 p.m. in order to accommodate a request from local media.

B. (v)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: S.G. Hollowell, DATE: 1995 September 14
Acting City Clerk

SUBJECT: Use of Council Chambers - 1995 September 16
World Bocce Championship Reception

RECOMMENDATION:

a) That approval be given to the action taken by the City Clerk in authorizing the use of the Council Chamber and Second Floor Foyer on Saturday, 1995 September 16 from 12:15 p.m. to 2:00 p.m. for a Reception for international representatives attending the World Bocce Championship in Hamilton.

b) That the City Clerk be granted authority to approve of a similar use in future years, provided it does not interfere with any other activity.

S.G. Hollowell

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Account CH55222-10034 - Use of City Facilities by Outside Groups in the approximate amount of $55.00 for staff overtime associated with this event.

BACKGROUND:

The World Bocce Championships are taking place at the Mountain Arena in Hamilton from 1995 September 12 through to September 17. Approximately 20 countries are involved in the Championships.

Mayor Morrow has agreed to provide a reception for 50 international representatives on Saturday, 1995 September 16 in the Council Chamber to be followed by refreshments in the second floor foyer at City Hall.

cc: Mayor's Office
R. Swan, Manaager of Building Operations & Maintenance Division
Information Desk

B. (vi)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: S.G. Hollowell,
Acting City Clerk DATE: 1995 September 14

SUBJECT: Use of City Hall Forecourt
Band Performance

RECOMMENDATION:

That approval be given for the German Band Spielmannszug Der Stuttgarter Zigeunerinsel to give a special performance on the City Hall Forecourt on Wednesday, 1995 September 27 from 11 a.m. to noon, during their visit to the City as part of the Steel City Oktoberfest Celebrations.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The 26th Annual Bavarian Festival will be held at the Hamilton Convention Centre on Saturday, 1995 September 30. As part of the celebrations the German Band Spielmannszug Der Stuttgarter Zigeunerinsel will be making a guest appearance, and have been invited by the Mayor's office to give a performance at City Hall.

cc: Mayor's Office
R. Swan, Manager of Building Operations & Maintenance Division
Information Desk

B. (vii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: S. G. Hollowell
Acting City Clerk

SUBJECT: **Use of Council Chambers - Saturday, 1995 October 14**
Italian Air Force Veterans Association

RECOMMENDATION:

a) That approval be given for the Council Chamber and Second Floor Foyer to be used for a reception for the veterans of the Italian Air Force Association (Associazione Arma Aeronautica) (Hamilton Chapter) on Saturday, 1995 October 14 at 11:00 a.m.

b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

S. G. Hollowell

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Account CH 55222-10034 - Use of City Facilities by Outside Groups in the approximate amount of $90.00 for staff overtime associated with this event.

BACKGROUND:

Mayor Morrow will be hosting a reception for the veterans of the Italian Air Force on Saturday, 1995 October 14 in Council Chambers with refreshments to follow in the Second Floor Foyer.

cc: Mayor's Office
R. Swan, Manager of Building Operations & Maintenance Division
Information Desk
Weekend Dispatch

C. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 08

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears

RECOMMENDATION:

1) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994:

6 Minto	8 Harvey
89 Sanford S	4 Mars
000 Upper James	340 Jackson West
105 Hempstead	405 Hess South
19 Mayflower	63 1/2 Fullerton
65 Fullerton	71 Kenilworth North
26 Holton North	644 Barton East
121 Victoria North	128 Allenby

2) That the attached by-law to authorize the said Extension Agreements be enacted by Council.

3) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The execution of the by-law and agreements, where required, will defer the City's right to sell the lands for tax arrears for a maximum period of 24 months; however, the City will be in receipt of regular monthly payments towards current and prior years arrears over the term of the agreements.

BACKGROUND:

Section 8 of the Municipal Tax Sales Act provides that the municipality, by a by-law passed after the registration of the tax arrears certificate and before the expiry of the one-year period for redemption, may authorize an extension agreement with the owner of the land extending the period in which the cancellation price is to be paid. On June 28, 1994, in accordance with this legislation, Council approved a policy authorizing the City to enter into extension agreements with taxpayers providing certain conditions were met.

The owner of a property which has been registered for tax arrears may request the City to consider an extension agreement at any time up to and including the final day on which the redemption period expires. Administratively, there may not be sufficient time to obtain the necessary Council approval of the by-law prior to this deadline. Accordingly, staff are requesting advance authorization for the City to enter into extension agreements, if necessary, with the owners of the above specific properties providing they meet the conditions outlined in the policy adopted by Council on June 28, 1994.

In certain instances when all of the conditions in the extension agreement policy are not met the Treasurer should be allowed the latitude to recommend an extension agreement be entered into if it is deemed to be in the best financial interest of the municipality. Under these circumstances a separate report would be provided to the Committee for deliberation and approval.

During the initial months of this repayment option it has been ascertained that operational time constraints, e.g. writing of reports, council approvals, make it necessary to have the authorization to enter into these extension agreements pre-approved. Accordingly, in the month that the legislated final notices for the tax registration process are mailed out (280 days from the registration date), a listing of all those properties for which the owners may wish to enter into an extension agreement will be forwarded to Committee and Council for approval. Owners who show an interest in entering into an extension agreement with the City prior to the mailing of the final notices, will be added to the monthly reports as required.

/TAB

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1995, A.D.,

CITY CLERK **MAYOR**

SCHEDULE "A"
EXTENSION AGREEMENTS

PROPERTY ADDRESS	128 ALLENBY AVENUE
SERIAL NUMBER	25 18 080 891 01590
BRIEF LEGAL DESCRIPTION	ALL OF LOT 43, PLAN 551
DATE OF REGISTRATION	25 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199455
REDEMPTION DATE	25 NOVEMBER 1995
TOTAL ARREARS	$13,679.53

PROPERTY ADDRESS	6 MINTO STREET
SERIAL NUMBER	25 18 030 237 02390
BRIEF LEGAL DESCRIPTION	PLAN 381, PT LOT 33
DATE OF REGISTRATION	25 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199453
REDEMPTION DATE	25 NOVEMBER 1995
TOTAL ARREARS	$7,598.52

PROPERTY ADDRESS	8 HARVEY STREET
SERIAL NUMBER	25 18 030 234 06000
BRIEF LEGAL DESCRIPTION	PLAN 170, PT LOT 3 & 4
DATE OF REGISTRATION	25 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199452
REDEMPTION DATE	25 NOVEMBER 1995
TOTAL ARREARS	$7,076.16

PROPERTY ADDRESS	89 SANFORD AVENUE SOUTH
SERIAL NUMBER	25 18 030 243 01960
BRIEF LEGAL DESCRIPTION	PLAN 225, PT LOT 15 & 16
DATE OF REGISTRATION	25 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199451
REDEMPTION DATE	25 NOVEMBER 1995
TOTAL ARREARS	$18,131.16

PROPERTY ADDRESS	4 MARS AVENUE
SERIAL NUMBER	25 18 030 222 06330
BRIEF LEGAL DESCRIPTION	PLAN 209, PT LOTS 1 & 2
DATE OF REGISTRATION	25 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199454
REDEMPTION DATE	25 NOVEMBER 1995
TOTAL ARREARS	$6,823.07

PROPERTY ADDRESS	000 UPPER JAMES STREET
SERIAL NUMBER	25 18 070 861 02501
BRIEF LEGAL DESCRIPTION	CON 8 PT LOT 14 BTN HAM
DATE OF REGISTRATION	25 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199458
REDEMPTION DATE	25 NOVEMBER 1995
TOTAL ARREARS	$5,960.60

PROPERTY ADDRESS	340 JACKSON STREET WEST
SERIAL NUMBER	25 18 010 084 03950
BRIEF LEGAL DESCRIPTION	BLOCK 1 RANGE E, PT LOT 11
DATE OF REGISTRATION	25 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199457
REDEMPTION DATE	25 NOVEMBER 1995
TOTAL ARREARS	$10,127.00

SCHEDULE "A"
EXTENSION AGREEMENTS

PROPERTY ADDRESS	105 HEMPSTEAD DRIVE
SERIAL NUMBER	25 18 060 721 05690
BRIEF LEGAL DESCRIPTION	PLAN 62M–489, LOT 1
DATE OF REGISTRATION	25 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	LT374812
REDEMPTION DATE	25 NOVEMBER 1995
TOTAL ARREARS	$135,292.91

PROPERTY ADDRESS	405 HESS STREET SOUTH
SERIAL NUMBER	25 18 020 131 01570
BRIEF LEGAL DESCRIPTION	PLAN 789, LOT 13
DATE OF REGISTRATION	29 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199746
REDEMPTION DATE	29 NOVEMBER 1995
TOTAL ARREARS	$1,220.75

PROPERTY ADDRESS	19 MAYFLOWER AVENUE
SERIAL NUMBER	25 18 040 283 54770
BRIEF LEGAL DESCRIPTION	LOT 28, PLAN 442
DATE OF REGISTRATION	29 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199745
REDEMPTION DATE	29 NOVEMBER 1995
TOTAL ARREARS	$7,444.05

PROPERTY ADDRESS	63 1/2 FULLERTON AVENUE
SERIAL NUMBER	25 18 030 237 06060
BRIEF LEGAL DESCRIPTION	PLAN 367, PT LOTS 15 – 19
DATE OF REGISTRATION	14 DECEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM200978
REDEMPTION DATE	14 DECEMBER 1995
TOTAL ARREARS	$8,447.38

PROPERTY ADDRESS	65 FULLERTON AVENUE
SERIAL NUMBER	25 18 030 237 06090
BRIEF LEGAL DESCRIPTION	PLAN 367, PT LOT 20
DATE OF REGISTRATION	14 DECEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM200979
REDEMPTION DATE	14 DECEMBER 1995
TOTAL ARREARS	$4,084.38

PROPERTY ADDRESS	26 HOLTON AVENUE NORTH
SERIAL NUMBER	25 18 030 234 58640
BRIEF LEGAL DESCRIPTION	PLAN 473 PT LOT 11 & 12
DATE OF REGISTRATION	13 DECEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM200908
REDEMPTION DATE	13 DECEMBER 1995
TOTAL ARREARS	$9,157.76

PROPERTY ADDRESS	644 BARTON STREET EAST
SERIAL NUMBER	25 18 030 237 51510
BRIEF LEGAL DESCRIPTION	PLAN 257, PT LOT 2
DATE OF REGISTRATION	13 DECEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM200863
REDEMPTION DATE	13 DECEMBER 1995
TOTAL ARREARS	$69,047.21

SCHEDULE "A"
EXTENSION AGREEMENTS

PROPERTY ADDRESS	121 VICTORIA AVENUE NORTH
SERIAL NUMBER	25 18 030 212 56210
BRIEF LEGAL DESCRIPTION	PLAN 223, PT LOT 95
DATE OF REGISTRATION	14 DECEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM200977
REDEMPTION DATE	14 DECEMBER 1995
TOTAL ARREARS	$9,988.08

C. (ii)

CITY OF HAMILTON

- INFORMATION -

DATE: 1995 September 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Corporate Overview of Quarterly Reports as at June 30, 1995

BACKGROUND:

Attached is the Corporate overview of the Quarterly Reports for the City based on actuals to June 30, 1995 along with projections as to the year-end positions. Based on the June 30, 1995 actuals, there is projected to be a net surplus of $284,310 at year-end as indicated and explained within the Quarterly Report. Individual departmental quarterly reports have been distributed through the respective Standing Committee secretaries.

The next quarterly report for information relating to the corporate overview up to and including September 30 is expected to be issued by the end of October.

This report is prepared as a component of the ongoing process to keep City Council updated on Current Budget issues.

Allan C. Ross

Att'd

CURRENT BUDGET QUARTERLY REPORT
AS OF JUNE 30 1995

CORPORATE OVERVIEW

Summary of Expenses/Revenues as of June 30 1995

To June 30th, total City actual expenditures are 3.7% below budget as compared to the prorated Total City Budget. However, revenues to this point are marginally below budget, reflecting an unfavourable variance of (0.4%). The blended affect is diminished on a net basis reflecting a favourable $2.6 million variance. Note that the prorating of the June 30 Budgeted numbers are not 50% of the total, reflecting seasonal fluctuations.

An explanation of these variances follows the tables below.

Table 1 **BUDGET AND ACTUALS AS AT JUNE 30, 1995**

Corporate Overview Variances to June 30, 1995	1995 BUDGET TO DATE (1)	1995 ACTUAL TO DATE (2)	FAVOURABLE / (UNFAVOURABLE) VARIANCE (1-2) (3)	VARIANCE % (3/1) (4)
Expenses	$81,524,260	$78,547,800	$2,976,460	3.7%
Revenues	$82,494,140	$82,162,410	($331,730)	(0.4%)
Net Expenses	$ 969,880	$ 3,614,610	$2,644,730	

Projected to Year-end based on the June 30th information, the unfavourable revenue variance of (0.3%) is offset by a favourable expenditure variance of 0.5%, resulting in a net favourable position of 0.2% as indicated in Table 2 below.

Table 2 **PROJECTED TO YEAR END**

Corporate Overview Variances projected to Year-End	1995 BUDGET (1)	1995 PROJECTED ACTUAL (2)	FAVOURABLE / (UNFAVOURABLE) VARIANCE (1-2) (3)	VARIANCE PERCENTAGE (3/1) (4)
Expenses	$165,088,990	$164,258,640	$ 830,350	0.5%
Revenues	$165,088,990	$164,542,950	($ 546,040)	(0.3%)
Net Expenses	$ 0	$ 284,310	$ 284,310	0.2%

SIGNIFICANT SERVICE/PROGRAM EXPENDITURE VARIANCES

Total City expenditures to June 30 are 3.7% under budget, with 4.6% or $3.1 million attributable to favourable departmental spending. The majority of departmental favourable variances are attributable to salary gapping due to vacancies, maternity leave, etc. Savings are also attributable to lower R & M costs in Property Maintenance, higher recovery rates in Architects and Real Estate, and favourable lease rates in Information Systems. Favourable spending in Financials/Other Budgets is attributable to several areas, namely the Senior Citizen's Tax Credit, the province's Supplementary Assessment Fee, and new Capital Programs affecting the current budget which do not as yet have any charges allocated to them.

SIGNIFICANT SERVICE/PROGRAM EXPENDITURE VARIANCES

By year end departmental budgets are expected to come in with a 0.8% favourable variance. Again, the main contributing factor is salary gapping savings. It should also be noted that Fleet Services Division of Public Works is anticipating an $900,000 surplus for both June 30 and year end purposes. Financials/Other Budgets are all expected to be on budget with the only significant unfavourable Financial account being the Tax Remissions account which is expected to be $300,000 overdraft by year end. However, should this projected overdraft in fact carry through to year end, a reserve is available to offset the overdraft if required. As well, it is difficult to determine the extent of the province's Supplementary Tax Fee which is not expected to be billed to the City until the end of the year, although a provision of $440,000 has been budgeted for this item.

SIGNIFICANT REVENUE VARIANCES

Total City revenues to June 30 are marginally unfavourable at (0.5%), with departmental revenues making up about half of this variance of approximately ($416,000.) The revenues most contributing to this unfavourable variance are parking fine revenues and building department revenues. These unfavourable revenue amounts are offset by a $683,000 favourable lottery revenue to date due to increased lottery activity in the community exceeding original expectations.

By year end departmental revenues are expected to be ($1.0) million unfavourable. The main factors contributing to this are $714 million less projected parking fine revenues and building department revenues, combined with lower than budgeted cemetery and recreation revenues.

Financial revenues are ($0.2) million unfavourable as at June 30 and are expected to be marginally favourable at 0.3% by year end. Favourable areas include Penalties and Interest Income of $400,000, Payments in Lieu of Taxes of $283,000, and Supplementary Taxes of $123,000. Gross interest income on investments is expected to slightly exceed budget, however the portion allocated to current budget is expected to be $400,000 unfavourable as there is a greater portion of interest income attributable to reserve and reserve fund balances.

It should also be noted that a $1.0 million draw from Reserve For Tax Stabilization and a $600,000 draw from Development Charges have been included in these estimates as provided for in the approved budget. As in previous years, should actual budget performance at year end indicate that the transfer from the Reserve for Tax Stabilization is not required, adjustments can be made accordingly.

IMPACT OF SERVICES/PROGRAMS APPROVED BY COUNCIL WITHOUT CURRENT FUNDING

The only new program approved by Council as of June 30,1995 is the bid for the 2001 Canada Games. The total amount of $140,000 is a one-time cost and was financed from existing funds in the Culture and Recreation Department and will therefore not have any impact on their current budget.

C. (iii)

CITY OF HAMILTON

- INFORMATION -

DATE: 1995 September 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financial Accounts and Other Non-Departmental Quarterly Reports as at June 30, 1995

BACKGROUND:

Attached is the Quarterly Report for the financial accounts and other non-departmental budgets based on actuals to June 30, 1995 along with a projection as to the year-end positions. Based on the June 30, 1995 actuals, there is projected to be a net surplus of $337,980 at year-end as indicated and explained within the Quarterly Report.

The next quarterly report for information relating to the financial and other non-departmental activities up to and including September 30 is expected to be issued by the end of October.

This report is prepared as a component of the ongoing process to keep City Council updated on Current Budget issues.

Allan C. Ross

Att'd

CURRENT BUDGET QUARTERLY REPORT
AS OF JUNE 30 1995

FINANCIAL ACCOUNTS AND OTHER NON-DEPARTMENTAL BUDGETS

Summary of Expenses/Revenues as of June 30 1995

To June 30th, Financial/Other Non-departmental Budgets actual expenditures are in a surplus position by 8.9% compared to the prorated Budget as indicated below. Revenues to this point are marginally below budget by 0.3%, resulting in a net favourable variance of 1.8%.

An explanation of these variances follows the tables below.

Table 1 **BUDGET AND ACTUALS AS AT JUNE 30, 1995**

Financial Accounts/Other Variances to June 30, 1995	1995 BUDGET TO DATE (1)	1995 ACTUAL TO DATE (2)	FAVOURABLE / (UNFAVOURABLE) VARIANCE (1-2) (3)	VARIANCE % (3/1) (4)
Expenses	$14,653,410	$13,350,200	$1,303,210	8.9%
Revenues	$73,194,030	$72,972,830	($221,200)	(0.3%)
Net Revenues	$58,540,620	$59,622,630	$1,082,010	1.8%

Projected to Year-end based on the June 30th information, the favourable expenditure variance is expected to turn unfavourable at 0.5% and the revenue variance should change to become marginally favourable at 0.3%, resulting in a net favourable position of 0.3% as indicated in Table 2 below.

Table 2 **PROJECTED TO YEAR END**

Financial Accounts/Other Variances projected to Year-End	1995 BUDGET (1)	1995 PROJECTED ACTUAL (2)	FAVOURABLE / (UNFAVOURABLE) VARIANCE (1-2) (3)	VARIANCE PERCENTAGE (3/1) (4)
Expenses	$29,306,830	$29,450,580	($143,750)	(0.5%)
Revenues	$146,388,070	$146,869,800	$481,730	0.3%
Net Revenues	$117,104,240	$117,419,220	$337,980	0.3%

SIGNIFICANT SERVICE/PROGRAM EXPENDITURE VARIANCES

The expenditure favourable variance to June 30 is mainly attributable to the fact that the province's Supplementary Assessment Fee has not been charged to the City as yet, as well the Senior Citizen's Tax Credit has not yet been charged through. Base budget amounts for new Capital Programs affecting the current budget do not have any charges allocated to date as well. Projected to year end, these expenditures are not expected to be significantly in overdraft. There is a projected overexpenditure in Tax remissions as some significant one-time remission adjustments have been charged through in 1995. It is expected that by year-end this overexpenditure in remissions will amount to over $300,000., however should this projected overdraft in fact carry through to year end, a reserve is available to offset the overdraft if required.

All other financial expenditure and other non-departmental accounts at this point do not indicate any significant variances.

SIGNIFICANT REVENUE VARIANCES

Payments-In-Lieu of Taxes are currently $225,000 unfavourable as amounts due from Parking Authority have not yet been credited. MTO subsidies are currently presenting a $135,000 deficit to June 30 due to lower than budgeted snow spending to date. It is hoped that spending in other subsidizable areas can be maximized to ensure maximum subsidy, although a $200,000 deficit has been provided for in the year-end amounts. Penalties and Interest income is currently $250,000 favourable and is expected to be $800,000 favourable by year-end. Supplementary Tax revenues are also expected to be $123,000 favourable due mainly to increased Supplementary Business Taxes. Gross interest income on investments is expected to slightly exceed budget, however the portion allocated to current budget is expected to be ($400,000) unfavourable as there is a greater portion of interest income attributable to reserve and reserve fund balances.

It should be noted that a $1,000,000 draw from Reserve for Tax Stabilization and a $600,000 draw from Development Charges have been included in these estimates as provided for in the approved budget. As in previous years, should actual budget performance at year end indicate that the transfer from the Reserve for Tax Stabilization is not required, adjustment can be made accordingly.

IMPACT OF SERVICES/PROGRAMS APPROVED BY COUNCIL WITHOUT CURRENT FUNDING

At this point there are no new services and /or programs approved by Council that have a direct affect on the Financial budgets for 1995 or 1996.

D. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 August 24

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

AUG 25 1995

FROM: D. W. Vyce
Director of Property

SUBJECT: Roof replacement, Sir Allan MacNab Recreation Centre

RECOMMENDATION:

1. (a) That approval be given to issue a purchase order in the amount of $99,938.00 inclusive of G.S.T., (6,538.00) to commission Roque Roofing & Sheet Metal Ltd. of Hamilton for the replacement of the roof at the Sir Allan MacNab Recreation Centre, being the lowest price of eight quotes received in accordance with the specifications (REF: C14-13-95) issued by the Manager of Purchasing.

   (b) That as this work is to be completed as soon as possible, the above has been processed thorough the emergency procedures of the City of Hamilton Purchasing Policy that states "An order can be placed upon the approval of two of the following: The Mayor, an appropriate Committee Chairman, the C.A.O and that any action taken under this provision to be reported to the next regular meeting of City Council."

95.08.25

95.08.28

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This project is to be financed through Capital Budget Funds account #CF319441015.

BUILDING ENVELOPE REPAIRS - BUDGETED $250,000 IN 1995
SPENT TO DATE 107,000
UNALLOCATED $143,000

BACKGROUND:

The Property Department identified that the roof system at MacNab has surpassed its life expectancy and is in need of replacement. In May of this year during the reconstruction of the outer walls and air barrier, the roof consultant (C.G.A.) found the roof to be in very poor condition and needs to be replaced. In order to facilitate this project before fall, material must be ordered now.

Tenders received:

Roque Roofing	$ 99,938.00
Atlantic Roofers	$107,535.00
A.M. Roofing	$110,103.00
Solar Roofing	$110,852.00
Whiteside Roofing	$111,387.00
Trio Roofing	$114,595.93
Riddell Sheet Metal & Roofing	$121,766.00

DWV/rh

cc: A. Ross, City Treasurer, Treasury Department
R. Desnoyers, Assistant Manager, Building Operations & Maintenance
J. Krochak, Senior Buyer, Purchasing
R. Fair, Director of Culture & Recreation

D. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 August 18

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

AUG 23 1995

SUBJECT: Central Utilities Plant - Cogeneration
Alternative Site Study

RECOMMENDATION:

1. (a) That approval be given to issue a purchase order to Marsh Energy Inc. of Burlington, Ontario in the amount of $79,900. plus G.S.T. for the engineering evaluation of: (i) optional larger 4.8 megawatt cogeneration plant; (ii) determination of the available excess heat from the cogeneration installation; and (iii) to determine the optimum size and configuration of the City Hall boiler plant consistent with the cogeneration facility; and,

   (b) That as timing is of the essence due to the timetable of the Canada/Ontario Infrastructure Works Program and so that the City can realize the energy savings at the earliest possible date, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

D.W. Vyce

J.G. Pavelka 95.08.18

for R. Charters 95.08.18

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This amount to be funded from Capital Funds Account #CF809453006 5450 - C.U.P. Tri-Generation-M1610105. The approved Capital Budget is $7,728,500. It is being proposed that the alternative site study be funded from the current contingency.

Consulting Fees (Phase I)	$ 28,255.
Engineering Fees (CH-2 Evaluation)	$ 58,850.
Estimated Construction Cost	$6,234,715.
Engineering Fees (Phases II - VI)	$ 812,130.
Contingency	$ 594,550.
	$7,728,500.

BACKGROUND:

City Council approved of Item 16 from the SIXTH Report of the Finance and Administration Committee for 1995 which recommended issuing a purchase order in the amount of $812,130. inclusive of G.S.T. ($53,130.) to Marsh Energy Inc. of Burlington, Ontario for the design, engineering and project management of the Central Utilities Cogeneration Plant estimated at 7.7M dollars.

Engineering work completed to date by Marsh Energy Inc. has revealed a number of issues which require further investigation and evaluation in order for staff to return to Committee and Council with a comprehensive recommendation which will permit Council to make an informed decision with regards to the size, location, and future strategy of the Central Utilities Cogeneration Plant.

The scope of work specified in the original tender documents and included as part of the contract between the City and Marsh Energy did not include the following issues and therefore represent legitimate "extras":

(i) Secondary Evaluation Of A 4.8MW Cogeneration Installation vs. 4.2MW

Included with their response to our Request For Tender for the engines for a 3.8MW plant, Toromont/Caterpillar proposed an optional 4.8MW plant at an increase in cost. The incremental increase for the larger plant is expected to increase the overall financial benefit to the City substantially. However, in order to be certain that the current return on investment and payback are not negatively affected, a number of technical issues including the environmental impact require further detailed evaluation. On completion of this evaluation we will have determined the viability of the 4.8MW proposal including the impact on the current financial analysis.

(ii) Determination Of The Available Excess Waste Heat From Cogeneration Plant

Throughout our preliminary investigations and engineering it was agreed that a certain amount of excess waste heat would be available from the cogeneration plant. This heat has a value to it and can either be sold to potential surrounding customers or utilized by the City in facilities not previously considered in this scope. Both Copps Coliseum and the Library/Farmer's Market are potential users of this waste heat. The amount of excess waste heat has been determined utilizing very crude monthly thermal data. In order to "nail down" exactly how much heat is available and when it is available, detailed analysis of daily heating loads of the buildings expected to be connected to the district heating system need to be completed.

(iii) Size And Configure The City Hall Boiler Plant For Optimum Operation

An opportunity exists for the proposed 1997 replacement of the City Hall boilers to be included as part of the cogeneration project. By doing so, future strategies for a district heating system to service the City's downtown facilities begins to take shape. Moving the planned replacement of the City Hall boilers to coincide with the cogeneration project offers a number of efficiencies including the potential to reduce the overall number of heating plants in the downtown core and possibly consolidate the heating requirements to a single more efficient plant. In order to determine the viability of this, additional evaluation including the environmental impact and financial analysis need to be completed.

Although the additional work proposed herein is rather significant, it represents a worthwhile investment. The scope of the cogeneration project will be defined. We will be able to quell any lingering doubts as to the overall philosophy of the project, what it is designed to achieve and how it will achieve it. On completion of this work we will be in a position to make a recommendation to proceed with the project based on thorough and comprehensive evaluation.

DWV/rd

cc. Alderman Charters, Chairman, Finance and Administration Committee
J.G. Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor
A. Ross, City Treasurer
N. Adhya, Manager of Budgets, Treasury Department
P. Hooker, Senior Solicitor, Law Department
R. Desnoyers, Assistant Manager, Building Operations & Maintenance
J. Krochak, Senior Buyer, Purchasing Division, Treasury Department

D. (iii)

CITY OF HAMILTON

- RECOMMENDATION -

SEP 1995

DATE: 1995 September 8

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Carpet replacement, City Hall, 5th, 6th, 7th floors.

RECOMMENDATION:

1. That approval be given to issue a purchase order in the amount of $71,662.07 inclusive of G.S.T., ($4,688.17) to commission Twins Floor Decor of Hamilton for the replacement of carpet on the 5th, 6th, and 7th floors of City Hall, being the lowest price of four quotes received in accordance with the specifications (REF: C14-14-95) issued by the Manager of Purchasing and charged to account # CF 319541010 (Carpet Replacement City Hall).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This project is to be financed through Capital Budget Funds Account # CF 319541010 (Carpet Replacement City Hall).

BACKGROUND:

The Property Department identified that the existing carpets on the 5th,6th, and 7th floors of City Hall has surpassed its life expectancy and has become a health and safety issue due to the many potential tripping hazards that have developed in the worn carpet. Specifications were created by the Building Operations and Maintenance Division of the Property Department and tendered in accordance with the Purchasing Division August 4, 1995.

Tenders received:

Stradwicks Ltd.	$83,457.86
Terrance Webster Design	$83,622.64
Vartanians Carpet	$87,659.75

DWV/nr

c.c: J.G. Pavelka, Chief Administrative Officer
A.C. Ross, City Treasurer
M. Mascarenhas, Acting Manager of Purchasing
Att: J. Avery, Assistant Manager of Purchasing
V. Abraham, Director, Planning
Att: F. Angelici, Supervisor, Planning
T. Gill, Senior Director, Roads Deptartment
R. Swan, Manager, Building Operation and Maintenance

D. (iv)

CITY OF HAMILTON

- RECOMMENDATION -

SEP 14 1995

DATE: 1995 September 7

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Direct Purchase of Natural Gas

RECOMMENDATION:

a) That the Corporation City of Hamilton exercise its second year option and accept the proposal submitted by Westcoast Gas Services Inc. for the supply of natural gas on a direct purchase basis to all City owned buildings at a price of $1.30/Gigajoule for the period November 1/95 - October 31/96 in accordance with specifications issued by the Purchasing Department; and

b) That the existing contracts be amended in a form satisfactory to the City Solicitor; and

c) That as time is of the essence and in order to take advantage of the fluctuations in the market price of natural gas, the above has been processed through the emergency procedures of the City Of Hamilton Purchasing Policy that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

95.09.11

95.09.11

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The current Weighted Average Cost Of Gas (WACOG), approved by the Ontario Energy Board for Union Gas Ltd., is $2.17/Gigajoule. However, Union Gas Limited has made application to the Ontario Energy Board to change the WACOG price to $1.69/Gigajoule retroactive to April 1, 1995. Savings are realized as a result of the difference between the price that the City purchases the natural gas from Westcoast Gas Services ($1.30) and sells back to Union Gas Ltd. at the WACOG price ($1.69). Acceptance of the proposal from Westcoast Gas Services Inc. represents approximately $90,000 annual savings to the City on its purchases of natural gas based on the anticipated change to the WACOG price.

BACKGROUND:

Since July of 1992 The Corporation City of Hamilton has purchased it's natural gas requirements directly from a western producer through the direct buy/sell mechanism. This has enabled the City to purchase gas at market prices providing significant savings.

The firm one year option presented by Westcoast Gas Services Inc. offers some short term stability in addition to the significant cost savings.

In a report to the Finance and Administration Committee dated 1994 July 12 which was later approved by Council on 1994 July 26, it was noted that the City and Region would combine their volumes of gas consumed for the purposes of a joint tender. The responses to the tender issued by the Manager of Purchasing (Ref. C19-16-94) were for the supply of natural gas to:

	Estimated Savings (First Year)
The Corporation of the City of Hamilton	$110,000
Regional Municipality of Hamilton-Wentworth	$120,000
City of Stoney Creek	$ 8,100
Town of Flamborough	$ 4,200
Township of Glanbrook	$ 3,500
Hamilton Regional Conservation Authority	$ 1,100

The City of Hamilton has realized approximately $62,850. savings in the first 8 months (Nov. 1/94 -Jun 30/95). The City currently pays Westcoast Gas Services Inc. $1.65/Gigajoule which represented the market price for gas (via tender) at that time.

DWV/rd

cc. Alderman Bob Charters, Chairman, Finance & Administration Committee
J.G. Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor
Attention: Lorne Farr, Solicitor
A. Ross, City Treasurer

R. Desnoyers, Property Department
J. Bruzzesse, Acting Commissioner of Regional Finance
Attention: Egon Stepita, Investments Analyst

E.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 7

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton (C-034-095)

RECOMMENDATION:

That the attached listing of Appointments To and Terminations from Permanent positions with the Corporation to 1995 September 8 be approved.

JJ/mb

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Joyanne Beckett	I	Building Engineer (J)	Building	Replacing Mr. S. Rao - retired, Nov. 20/94	$53,779.96 to $63,398.40	July 24/95
Ms. Katie Carson	I	Secretary 11 (8C)	Fire	Replacing Ms. C. Lahie - promoted, July 17/95	$25,960.48 to $28,151.76	Aug. 21/95
Ms. Colleen Cullen	I	Probationary Fire Inspector (N1C)	Fire	Replacing Mr. C. Gates - retired, May 05/95	$34,234.08	July 10/95
Ms. Susan Hayward	I	Traffic Legislative Technician (23E)	Traffic	Replacing Mr. M. Trink - resigned, June 16/95	$42,169.40 to $47,920.60	July 24/95

Prepared September 08, 1995

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Cindy Lahaie	I	Probationary Fire Inspector (N1C)	Fire	Replacing Mr. W. Jacklin - retired, Nov. 30/94	$34,234.08	July 17/95
Mr. Oscar Lopez	I	Traffic Signal Specialist (18C)	Traffic	Replacing Mr. J. Price - retired, Dec. 31/95	$36,275.72 to $41,754.44	July 17/95
Mr. Gordon Mooney	I	Traffic Signal Specialist (18C)	Traffic	Replacing Mr. B. Perino - promoted, March 06/95	$36,275.72 to $41,754.44	July 17/95
Mr. Bob Morley	I	Licence Inspector II (18D)	Clerk's	Returning to former position	$36,033.92 to $41,863.64	July 13/95

Prepared September 08, 1995

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Peter Shaw	I	Probationary Fire Inspector (C5S)	Fire	Replacing Mr. J. Kyle - terminated, May 24/94	$52,526.24	July 10/95
Mr. Douglas Tam	I	Supervisor, Customer Service (J)	Building	Replacing Mr. L. Kerr - promoted, Sept. 25/95	$53,779.96 to $63,398.40	July 24/95
Mr. Andrew Tapp	I	Probationary Communications Officer (N1)	Fire	Replacing Ms. C. Cullen - transferred, July 10/95	$36,867.15	August 14/95
Ms. Lynne Tofani	I	Administrative Assistant 1 (N)	Mayor's Office	Replacing Ms. G. Turner - retired, June 30/95	$37,794.64 to $44,568.68	June 30/95

Prepared September 08, 1995

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. William Brock	Sanitation Worker	Public Works	Terminated	1 year	July 27/95
Ms. Annette McGaughey	Support Services Technician	Information Systems	Resigned	4 years, 9 months	July 25/95

Prepared September 8, 1995

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

F. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 8

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: Mr. J. G. Hindson, P.Eng.
Director of Information Systems

SUBJECT: Supplier for Microcomputer Workstations (INF 95-132).

RECOMMENDATION:

a) That Microcomputer workstations be acquired in accordance with the following:

Description	Supplier	Price	Comment
NEC 486-DX2 PCs	Fairview Computers Inc. Burlington	$2,095	lowest of 12 proposals

b) Funding to be provided from Account # CH56605-26032 (Workstation Leasing)

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funding is provided within the approved annual City budget.

BACKGROUND:

Requests for Proposals for the supply of Microcomputer Workstations were sent to potential suppliers in accordance with specifications issued by the Manager of Purchasing. The closing date for the Proposals was 1995 June 19th. *Fifteen* proposals were subsequently received.

The Proposals were subsequently reviewed and are presented in the attached table.

The objective in reviewing and recommending the supplier is to obtain the equipment capabilities and functionality required in accordance with the specifications, and adequate supplier support and service at the lowest cost. *Fairview Computers* is the recommended supplier for NEC 486-DX2 microcomputers on the basis of lowest cost.

1995 SUMMARY OF PROPOSALS *(1995 JUNE 19TH)* FOR THE SUPPLY OF MICROCOMPUTER WORKSTATIONS:

SUPPLIER	LOCATION 486DX2	
Fairview Computers	Burlington	$2,095 --->**RECOMMENDED**
4 Office Automation Ltd.	Burlington	$2,190
JMG Compushoppe	Hamilton	$2,385
Telecom Computer Products	Burlington	$2,512
Computer Trade-In Post	Hamilton	$2,595
GE Capital Technology Services	Mississauga	$2,608
T.C.S. Canada Corporation	Markham	$2,682
Millenium Computer Systems	Hamilton	$2,799
Vaxxine Computer Systems Inc.	Jordan Station	$2,984
Alliance Computers Inc.	Hamilton	$3,034
Able One Systems Inc.	Kitchener	$3,355
Strategic Concepts Group	Mississauga	$3,975

The following proposals were not to specifications:

Canada Dynamic Trading Inc.	Hamilton
Patriot Computer Corporation	Thornhill
Intelligent Systems Group	Hauppauge, N.Y.

No bid:

MicroAge
Comptree Systems Service

F. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 8

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: Mr. J. G. Hindson, P.Eng.
Director of Information Systems

SUBJECT: Leasing Supplier for Microcomputer Workstations and Printers (INF 95-133).

RECOMMENDATION:

a) That MFP Technology Services Inc. Mississauga, Ontario provide leasing services for microcomputer workstations and printers at the rate of $28.00/$1,000/month for 36 months (the lowest of twelve proposals received).

b) That decisions to lease or purchase be made in each case, in consultation with the Treasurer.

c) That the Mayor and the City Clerk be authorized to execute any amendments to the master lease agreement and that the agreement be in a form satisfactory to the City of Hamilton Solicitor (the City of Hamilton is the lessee).

d) That funding be provided from Account # CH56605-26032 (Workstation Leasing).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funding is provided within the approved annual City budget.

BACKGROUND:

Requests for leasing services proposals were issued to potential suppliers. *Thirteen* responses were received by the closing date of 1995 June 19th.

requirement of the proposals was that any lease include a provision that the lessee could return the equipment at the end of the lease, continue to lease at a reduced rate, or acquire the equipment at Fair Market Value. This provides for maximum flexibility to the Corporation.

On the basis of the summary of the proposal results (as indicated in the attached table), it is recommended that leasing services be acquired from MFP Technology Services Inc. Mississauga, Ontario (the lowest cost proposal).

The decision to lease or purchase should be based on an evaluation of several factors:

1) Lowest "cost of use" for the time period the equipment will be used.
2) The end-of-lease value.
3) The ease (or difficulty) of disposal of the equipment at the end of the lease.
4) Any potential requirements to improve or upgrade the equipment during the lease period.
5) The availability of any of external funding (grants) that would only apply to equipment purchases.
6) The availability of other internal or external funding sources that would favour leasing or purchasing.

As factors and circumstances may be different, it is recommended that leasing or purchasing decision be made in consultation with the respective Corporation's financial advisors.

c.c. Mr. A. C. Ross, Treasurer, City of Hamilton

1995 SUMMARY OF LEASING PROPOSALS RECEIVED *(1995 JUNE 19TH)* FOR MICROCOMPUTER WORKSTATIONS BASED ON 36 MONTH LEASE:

COMPANY NAME	LOCATION	RATE/$1000/MONTH
MFP Technology Services Ltd.	Mississauga	28.00 <-- RECOMMENDED
Greyvest Technology Inc.	Toronto	28.37
GE Capital Technology Services	Mississauga	28.77
Scott Capital Group Inc.	Mississauga	28.95
Strategic Concepts Group	Mississauga	29.51
Tuckahoe Leasing Inc.	London	30.53
4 Office Automation Ltd.	Burlington	30.64
3D Microcomputers	Markham	30.78
Comdisco Canada	Burlington	31.29
Fairview Computers Inc.	Burlington	31.41
Comdisco Canada	Burlington	31.94
Comdisco Canada	Burlington	32.26
Telecom Computer Products	Burlington	32.55

The following proposals were incomplete:

Samark Financial Corp.	Oakville
Capital Underwriters Corp.	Toronto

G.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1995 September 15th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Correspondence - Canada's National Safety Council - Support for Bill C-68 - The Firearms Act - letter dated 1995 September 6th

(b) Information Report - Commissioner of Human Resources - Departmental Quarterly Report as at 1995 June 30 - report dated 1995 September 11th

(c) Information Report - Director of Property - Departmental Quarterly Report as at 1995 June 30th - report dated 1995 September 8th

(d) Information Report - Acting Fire Chief - Fire Department Quarterly Report as at 1995 June 30th - report dated 1995 September 12th

(e) Information Report - Director of Information Systems - Departmental Quarterly Report as at 1995 June 30th - report dated 1995 September 14th

(f) Information Report - Chief Administrative Officer - Chief Administrative Office Quarterly Report as at 1995 June 30th - report dated 1995 September 14th

(g) Information Report - Acting City Clerk - Departmental Quarterly Repoort as at 1995 June 30th - report dated 1995 September 14th

(h) Information Report - Director of Information Systems - 1995 Information Systems Survey Results - report dated 1995 September 8th

(i) Correspondence - Regional Clerk - Notice of the Passage of By-law R95-084, being a by-law to amend Development Charges By-law R94-064, of the Regional Municipality of Hamilton-Wentworth - letter dated 1995 September 6th

(j) Correspondence - Regional Chairman T. Cooke - Region-wide Tobacco By-law - letter dated 1995 July 17th

(k) Information Report - Treasurer - Treasury Department Quarterly Report as at 1995 June 30th - report dated 1995 September 14th

Susan K. Reeder.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

URBAN/MUNICIPAL
CA4 ON HBL A05
C51F31
1995

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

URBAN MUNICIPAL
OCT 3 1995
GOVERNMENT DOCUMENTS

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 October 3rd
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder.

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **HAMILTON MUNICIPAL RETIREMENT FUND SUB-COMMITTEE**

   H.M.R.F. Amendment

4. **DIRECTOR OF INFORMATION SYSTEMS**

   Telephone Tariff Audit

5. **DIRECTOR OF CULTURE AND RECREATION AND COMMISSIONER OF HUMAN RESOURCES**

   Co-Ordinator of Food Services Position

6. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

   Appointment - one Council representative - Hamilton Status of Women Sub-Committee

7. **OTHER BUSINESS**

8. **ADJOURNMENT**

3.

CITY OF HAMILTON

- RECOMMENDATION -

SEP 29 1995

DATE: 1995 September 28

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Alderman Bob Charters, Chairman
Hamilton Municipal Retirement Fund Sub-Committee

SUBJECT: H.M.R.F. Amendment

RECOMMENDATION:

a) That effective January 1, 1988, The Hamilton Municipal Retirement Fund be amended and restated in the form and manner contained in the document entitled "The Hamilton Municipal Retirement Fund (As amended and Restated Effective January 1, 1988)" located in the Office Of The Clerk.

b) That the Treasurer or officer designated by the Treasurer of the Corporation is authorized to execute such other agreements, certificates, consents, corporate papers and other documents, make such payments and take all other action (including the filing of all required documents which appropriate governmental agencies and ensuring compliance with any reasonable changes or conditions imposed by the Department of Finance, Revenue Canada, Taxation, the Pension Commission of Ontario or any other appropriate governmental authorities in connection with the actions authorized or approved in the foregoing resolutions) that the Treasurer deems necessary or desirable to carry out the intent and purposes of the foregoing resolution.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

95.09.29

BACKGROUND:

Discussion:

The Pension Benefits Act of Ontario requires that all pension plans registered in Ontario be amended and restated effective January 1, 1988. When the Pension Benefits Act was passed, many of the provisions were unclear and were only clarified over the years by policy statements and other pronouncements from the Pension Commission of Ontario.

The Income Tax Act also requires that all pension plans be amended to comply with new retirement savings provisions effective January 1, 1992. The Hamilton Municipal Retirement Fund Plan document as amended complies with the Pension Benefits Act and the Income Tax Act.

In addition, a number of editorial amendments were also made to clarify the meaning of the by-law.

The Hamilton Municipal Retirement Fund Sub-Committee approved the amended plan at the meeting of March 21, 1995.

It is now being submitted for Council consideration.

MPK/sc

CITY OF HAMILTON

- RECOMMENDATION -

4.

DATE: 1995 September 19

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. G. Hindson, P.Eng.
Director of Information Systems

SUBJECT: Telephone Tariff Audit (INF 95-131)

RECOMMENDATION:

a) That Telecom Services Limited (TSL) of New York, New York be authorized to audit the City of Hamilton's telephone bills on a contingency basis, where TSL receives 42% of any one-time refunds that apply in accordance with their proposal of 1995 June 16.

b) That any telephone bill refunds be credited to Account #24201 (Miscellaneous Revenue) and that any payments to Telecom Services Limited be made from the same account.

c) That the Mayor and City Clerk be authorized to execute an agreement with Telecom Services Limited provided that it is in a form satisfactory to the City Solicitor.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

It is not possible to predict the amount of savings that may apply at this time, but they may be substantial. However, there will be no cost for this review other than TSL receiving 42% of any one-time refunds from the telephone company, retroactive for up to ten years.

BACKGROUND:

Requests for Proposals were issued by the Manager of Purchasing 1995 June 6, closing 1995 June 21. Two completed proposals were received.

The Request for Proposals was initiated on the basis of determining that other Corporations have successfully used external telecommunications auditing specialists to determine rate and tariff credits that should apply to corporate telephone equipment and services. These companies are prepared to operate on a consignment basis where they receive a percentage of the initial savings received from the telephone company.

The savings and payment share to the City could be from zero to hundreds of thousands of dollars depending on the extent to which the communications specialist auditing firm can determine billing and/or tariff errors from the phone company.

Scope & Objectives

1. Reduce monthly telecommunications costs by identifying and eliminating billing discrepancies; by verifying invoices against approved tariffs and physical inventory.
2. Negotiate with the phone company to obtain refunds and credits for any past overcharging.
3. Perform a post-audit to ensure all savings are being realized.

Professional Fees

- Will be paid on contingency basis only, relative to savings, and only after the specific refunds/credits have been received by the corporation.
- Will not be paid in advance, on retainer, for project management or general consulting.
- Will not be paid for any claims requested of the telephone company prior to the start of the audit.
- Will not be paid for any ongoing or future savings (including cost-avoidance).
- Will not be paid any fees in the event no savings are realized.
- Will not be paid for any level-of-service changes recommended but not accepted by the corporation.

Proposal Evaluation

Proposals were evaluated on the basis of the lowest bid to meet the proposal requirements:

The percentage sharing of savings were:

- Telecom Services Limited (TSL) of New York, New York:
  - 58% City : 42% TSL for the first $500,000 of refunds/credits
  - 62% City : 38% TSL for the remainder.

- Universal Telecom Review (UTR) Inc.of Engelwood Cliffs, New York:
  - 50% City : 50% UTR on all refunds/credits.

It is recommended that the audit services be provided by Telecom Services Limited, on the basis that the City will retain the largest portion of any savings obtained from the telephone tariff audit.

CITY OF HAMILTON

- RECOMMENDATION -

5.

DATE: 1995 September 14

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.J. Johnston, Commissioner
Human Resources

R. L. Fair, Director
Culture and Recreation Department

SUBJECT: Co-ordinator of Food Services Position (C-038-095)

RECOMMENDATION:

a) That the practice of utilizing an employment contract for the incumbent in the complement position of Co-ordinator of Food Services be discontinued, and

b) That this position be forwarded to the Human Resources Department for rating within the Job Evaluation Program.

Note: Should Committee not support these recommendations the following alternative is recommended:

a) That the Commissioner of Human Resources and the Director of Culture and Recreation be authorized to extend for a period of three years the contract for the incumbent Coordinator of Food Services, and

b) That this position be forwarded to Human Resources for rating within the Job Evaluation Program.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

For 1995, revenue from the concessions operations is projected to earn in excess of $25,000 after all costs are accounted for inclusive of this position's salary. As such, this position is not a likely candidate should additional downsizing be required of the Culture and Recreation Department.

The Concession Operations Unit's niche will be to continue to offer superior levels of service in marginally profitable applications where potential return from interested private sector parties is low. In addition, it will explore additional revenue possibilities through experimental projects associated with outdoor venues. Finally, it will retain the flexibility to partner with or withdraw from events that are being operated by community groups for fund-raising purposes.

Currently, under the terms of the Contract (which expired 1995 July 31), the incumbent receives a salary not to exceed $45,000 annually. Based upon the rating under the Job Evaluation Program, a new salary may be identified, which will be incorporated within the Department of Culture and Recreation Budget.

Additionally, a full benefit package will be extended to the employee, (currently full benefits are provided with the exclusion of O.M.E.R.S. Pension Plan) and will include the O.M.E.R.S. Pension Plan. Vacation entitlement will also be attributed to this position.

This is a change from the paid vacation time as set out under the Employment Standards Act.

Based upon a salary of $45,000 the Benefit Package would have an estimated cost of $9200.

BACKGROUND:

On 1994 May 16, the City of Hamilton entered into a contract for the position of Co-ordinator of Food Services for a period of six months. This Contract has been the subject of a number of extensions of various lengths. On 1995 February 28, City Council approved the most recent extension (Item 2, 6th Report of the Parks and Recreation Committee) expiring as of 1995 July 31.

On 1994 February 11, Committee of the Whole approved the position of Co-ordinator of Food Services (Contract) within the complement of the Culture and Recreation Department. It has been the practise of this Department to fill this position on a contract basis while an assessment of the Concession Operations could be undertaken. As a result of the financial returns being generated within this operation, staff are confident that this position is self-financing and believe that the position is more correctly situated to that of full time internal employment.

DISCUSSION:

This person provides leadership to our Food Services Unit. In evaluating the impact of the work two functions are prominent. The first is to provide a high level of service to the public. Secondly, the concession operations are a source of surplus revenue which helps to offset the operating costs of our facilities, thereby, reducing the burden on the tax levy.

In determining whether private industry is more desirable than in-house the determining factors are service and flexibility. It is accepted that private industry is motivated by profit maximization which inherently reduces their desire to operate marginal profit centres. Additionally, hours of operation are geared towards potential return as opposed to service. It is staff's opinion that hours of operation for early morning or non-profitable events are more controllable with an in-house operation. It is staff's contention that private interests would be less willing to operate during off time hours if profit were break even or a losing proposition.

In addition, private sector operators, naturally, are often not willing to step aside when large special events are organized in venues where they have concessions rights. This has been an issue recently viz large summer festivals.

A scan of other municipalities reveals that both in-house and privatized food operations are present. In most cases, the most private sector interest and, hence, the higher rate of return to the municipality are in service areas where there is high volume and high demand. In Hamilton, this has also been the case, viz, the concessions at the golf courses and major outdoor sports venues and the willingness of food vendors to pay high premiums to sell at large summer festivals.

The issue for the Department is the delivery of quality concessions services at less profitable, yet important service venues: community arenas and recreation centres; smaller park venues and at other less high profile special events. This has been the niche that the Food Services operation has been filling, at a net surplus to the Department. We wish to continue to fill this vacuum and believe we can do it better and at a higher rate of return that what we would get from a private operator. A recent privatization effort aimed at all minor city facilities in the City of North York yielded only an annual per rink bid of $1,100 well below what we would net per arena.

The Department's Food Concessions Unit retains the flexibility to yield to or work with community fund-raising initiatives and respond quickly to new service/revenue opportunities.

Attached hereto as "Schedule A and B", are the income statements for the concession operations for the years 1993 and 1994. Under the current operator and with improving systems in place large gains have been and are expected to continue to be made.

In 1993, the Concession Operations were projecting a potential loss of approximately $100,000. You will note that the actual loss was reduced to $16,651.61. This reduction was achieved through internal controls and improved labour costs. Specifically, these were the implementation of more efficient purchasing practices, improved cost centre reporting, cash register accuracy and inventory controls, and direct supervision along accepted Treasury Department procedures. Significant gains were also made on the labour front as the concessions downsized for efficiency and adopted labour rates resulting in competitive costs with private industry. This is clearly shown by the fact that 1994 saw more concessions operated at less cost. (Wages 1993 = $209,000, Wages 1994 = $199,000, a 12% reduction). 1994 also showed the results of these changes as the Concession Operations posted a profit of $45,655.31. (As shown on Schedule B) against the previous years loss of $16,651.61. It is expected that 1995 will show similar positive results.

In reviewing our Concession Operations two centres present marginal profit making capabilities thereby establishing them as unattractive markets for private sector opportunities. These centres are the Huntington Park Recreation Centre and the Sackville Hill Seniors Centre respectively. Huntington Park is seen to be physically limited which affects its potential and marketability. Sackville Hill Seniors Centre operates as the central administration point for concession purchasing and distribution, therefore, costs are disproportionately weighted. Additionally, this centre is primarily established as a service centre for the Senior Citizens operating as a not for profit centre, but rather along full cost recovery programming only. It is staff's belief that these centres would be negatively impacted through profit motivated service reductions resulting from anything other than an in-house operation.

In 1995 two new concession centres will be established at Parkdale and Inch Park Arenas. These centres are also seen to be marginal profit operations as they were designed to provide the basic service to the user clientele. They will function as full concessions but without high profit return products such as french fries. (Deep friers were not incorporated in the design of the building thereby restricting overall returns)

It is staff's further contention that the return on net profit is higher on in-house operations; however, this return is not realized due to the conscious decision to provide services in marginal profit or even losing situations. This points to a flexibility in-house which may not be achieved through contracted or private operation. This is most clearly shown in the direct control over staff, public relations, cleanliness, presentation and hours of operation.

In-house operations present the opportunity to serve as a positive revenue source for non-site specific departmental and City events aiding to reduce the overall costs. This is most clearly shown through the outdoor concessions established at such special events as Dundurn Castle's Evening in Scotland, Canada Day Celebrations, Microcosm, Tattoo etc. Through this recommendation the City would be solidifying its in-house expertise towards interdepartmental organization and general logistics requirements associated with organizing such productions.

Exploration of additional revenue sources have also been identified as illustrated through the lease of a Golf Cart Mobile Concession operating at Mohawk Sports Park. Again, this innovation takes advantage of providing a service previously unavailable and serves to offset the cost of the facility operation. Through the provision of this service, the spectator participants receive a higher level of satisfaction. If successful a similar operation may be established at Turner Park. Our Department will continue to research innovative marketing strategies and with its quick response and available support team are well situated to serve the City well.

In the alternative, should Committee not support the recommendation, two courses of action are apparent. We could offer yet another contract extension. We believe that the incumbent will look for more assured job security elsewhere creating the potential for service interruptions and delay, caused by staff adjustment, loss of experience, and temporary revenue shortfalls until the replacement personnel can accomplish the necessary learning curve.

An effort to privatize all of these services can be attempted. Privatization of such function is not recommended due to the marginal profit capability of some locations, as discussed, and the Department's emphasis of service over profit. Additional problems may be experienced under such a scenario associated with fixed revenue returns, decreased services and loss of control of such aspects as hours of operation, staffing, product and pricing, public relations.

WM/dj

c.c. Allan C. Ross, Treasurer
J. Johnston, Commissioner, Human Resources Centre
P. Noé Johnson, City Solicitor, Law Department Attention : Phil Hooker

SCHEDULE N

CITY OF HAMILTON CONCESSION OPERATION
1993

ARENAS

ARENAS	REVENUE	LABOUR	%	FOOD	%	MISC&OPE.	%	PROFIT	%
Mountain	$114,930.00	$47,245.18	41.11%	$48,744.62	42.41%	$691.45	0.60%	$18,248.75	15.88%
Rosedale	$57,999.00	$34,640.12	59.73%	$22,634.33	39.03%	$319.65	0.55%	$404.90	0.70%
Lawfield	$99,327.00	$37,858.07	38.11%	$38,413.91	38.67%	$623.77	0.63%	$22,431.25	22.58%
TOTALS ARENAS	**$272,256.00**	**$119,743.37**	**43.98%**	**$109,792.86**	**40.33%**	**$1,634.87**	**0.60%**	**$41,084.90**	**15.09%**
CENTRES									
Huntington	$11,949.00	$4,622.67	38.69%	$5,266.58	44.08%	$181.60	1.52%	$1,878.15	15.72%
Sackville	$100,642.00	$111,796.14	111.08%	$40,531.57	40.27%	$7,838.95	7.79%	($59,524.66)	-59.14%
TOTAL CENTRES	**$112,591.00**	**$116,418.81**	**103.40%**	**$45,798.15**	40.68%	**$8,020.55**	7.12%	**($57,646.51)**	**-51.20%**
CITY TOTALS	**$384,847.00**	**$236,162.18**	**61.37%**	**$155,591.01**	**40.43%**	**$9,655.42**	**2.51%**	**($16,561.61)**	**-4.30%**

SCHEDULE B

CITY OF HAMILTON CONCESSION OPERATION
AS OF DECEMBER 31,1994
BUDGET RUNS

ARENAS	REVENUE	LABOUR	%	FOOD	%	MISC&OPE.	%	PROFIT	%
Twin Pad	$38,585.06	$7,164.75	18.57%	$14,400.97	37.32%	$136.26	0.35%	$16,883.08	43.76%
Mountain	$154,276.52	$49,361.84	32.00%	$57,338.48	37.17%	$1,853.97	1.20%	$45,722.23	29.64%
Rosedale	$63,789.15	$17,554.10	27.52%	$24,287.70	38.07%	$400.24	0.63%	$21,547.11	33.78%
Lawfield	$73,885.15	$25,390.99	34.37%	$30,374.31	41.11%	$907.97	1.23%	$17,211.88	23.30%
TOTALS ARENAS	**$330,535.88**	**$99,471.68**	**30.09%**	**$126,401.46**	**38.24%**	**$3,298.44**	**1.00%**	**$101,364.30**	**30.67%**
CENTRES									
Huntington	$46,595.74	$18,647.07	40.02%	$20,478.76	43.95%	$398.82	0.86%	$7,071.09	15.18%
Sackville	$98,101.12	$107,396.88	109.48%	$50,704.68	51.69%	$2,779.64	2.83%	($62,780.08)	-64.00%
TOTAL CENTRES	**$144,696.86**	**$126,043.95**	**87.11%**	**$71,183.44**	**49.19%**	**$3,178.46**	**2.20%**	**($55,708.99)**	**-38.50%**
CITY TOTALS	**$475,232.74**	**$225,515.63**	**47.45%**	**$197,584.90**	**41.58%**	**$6,476.90**	**1.36%**	**$45,655.31**	**9.61%**

ACTUALS

SCHEDULE "C"

CITY OF HAMILTON
CULTURE AND RECREATION FOODSERVICES
STATEMENT OF INCOME FOR THE YEAR END DECEMBER 31, 1994
Unaudited

NOTE:

1994 Sales include revenue from the operation of the Chedoke Twin Pad Concession
The sales were $38,585.00 with a net profit of $16,883.00
The 1994 operation consisted of 5 units and the Twin Pad
The 1993 operation consisted of 4 units and 3 months of Huntington

INCOME		
Sales	$384,847.00	$475,232.74
COST OF SALES		
Purchases	$155,591.01	$197,584.90
GROSS PROFIT	$229,255.99	$277,647.84
EXPENSES		
Wages	$209,062.62	$199,752.49
Benefits (UI,CPP,etc.)	$ 27,048.69	$ 25,763.21
Operating Supplies	$ 2,160.62	$ 1,601.62
Uniforms/Clothing	$ 2,520.62	$ 990.90
Equipment Repair	$ 134.22	$ 707.21
Operating Equipment	$ 676.91	$ 1,752.70
Cash Over/Short	$ 0	$ 111.96
Miscellaneous	$ 3,991.91	$ 1,205.99
	$245,595.59	$231,886.08
NET INCOME (LOSS) FOR THE YEAR	**($16,339.60)**	**$ 45,761.76**

6.

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO: Alderman Bob Charters, Chairman
and Members,
Finance and Administration Committee

YOUR FILE:

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

OUR FILE:
PHONE: 546-2753

SUBJECT: Second Council representative to serve on the Hamilton Status of Women Sub-Committee

DATE: 1995 September 28

As members of the Committee are aware, the Finance and Administration Committee at its meeting held Tuesday, 1995 September 19th, gave consideration to the appointment of two Council representatives to serve on the Hamilton Status of Women Sub-Committee.

In this regard, the Committee approved the following:

> That Alderman M. Caplan be appointed to serve as a Council representative on the Hamilton Status of Women Sub-Committee for a term to expire 1997 November 30th.

Following two lost votes to appoint a second Council representative to serve, the Committee agreed that this matter be referred to the next meeting of the Finance and Administration Committee to be held on Tuesday, 1995 October 3rd.

Susan K. Reeder.

SKR

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 October 3rd
1:30 o'clock p.m.
Room 233, City Hall

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

(i) Minutes of the regular meeting held on Tuesday, 1995 September 19th

(ii) Minutes of the special meeting held on Tuesday, 1995 September 26th - 7:00 o'clock p.m.

(iii) Minutes of the special meeting held on Tuesday, 1995 September 26th - 10:30 o'clock p.m.

B. TREASURER

(i) Authorization to Enter into Extension Agreements on Specific Properties for the Payment of Realty Tax Arrears

(ii) Funding - City's share of increased cost - Detailed Storm Water Management Study for the Albion Mills Subdivision

(iii) Funding - Rymal Road East, south side from Upper James Street to Springside Drive - Local Improvement Sidewalks Increased Costs

(iv) Financing Consultant Fee - Local Government Restructuring

(v) Status of Hamilton Hydro G.S.T. - I.T.C. Rate Rebate

C. CITY SOLICITOR

By-law respecting 1994 Debenture Projects and Amounts

D. COMMISSIONER OF HUMAN RESOURCES

Appointments to and Terminations From Permanent Positions

E. **CITY CLERK**

(i) Use of Committee Rooms 264 and 233 - Multicultural Health Coalition

(ii) Use of Second Floor Foyer - Ontario March of Dimes

(iii) Use of Council Chamber and Second Floor - Chinese Cultural Association

(iv) Use of Second Floor Foyer - Hamilton Veterans Committee

F. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Information Items

A. (i)

Tuesday 1995 September 19
1:30 o'clock p.m.
Room 233, City Hall

The Finance and Administration Committee met.

Present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice Chairman
Mayor R. M. Morrow
Alderman M. Kiss
Alderman V. J. Agro
Alderman D. Drury
Alderman D. Wilson
Alderman T. Anderson

Also Present: Alderman H. Merling
Alderman M. Caplan
Alderman W. McCulloch
Alderman G. Copps
J. G. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
P. Lampman, Building Department
D. Vyce, Director of Property
J. Johnston, Commissioner of Human Resources
P. Barkwell, Law
D. Carson, Mayor's Office
S. Hollowell, Acting City Clerk
J. Hindson, Director of Information Systems
L. King, Building Commissioner
S. Dembe, City Clerk's Office
R. Fair, Director of Culture and Recreation
N. Chapple, Planning
B. Jannsen, Planning
B. Hunter, Health Services Department
Susan K. Reeder, Secretary

A G E N D A

1. DELEGATION - Hamilton-Wentworth Council on Smoking and Health

Dr. Gowitzke and Dr. Goodyear of the Hamilton-Wentworth Council on Smoking and Health were in attendance and spoke to the Committee with respect to the recommendations being presented in the City Clerk's report. In this regard, the Committee was in receipt of a report from Dr. Gowitzke dated 1995 September 8th which outlined her response to the above-noted recommendations.

The Committee was also in receipt of documentation entitled "Regional Tobacco Control Legislation" which was distributed at the meeting by Dr. Goodyear. Dr. Goodyear spoke to the Committee on the issues referred to his brief.

The Committee was in receipt of a report from the City Clerk dated 1995 August 11th entitled "Smoke-Free Hamilton by the year 2000 Enforcement - Smoking in Public Places and Workplaces".

Considerable discussion then ensued regarding the transferring of funds from the City Clerk's budget to the Health Services Department for them to enforce the City's by-laws until such time as a Regional by-law is approved.

Following the discussion, the Committee approved the following for presentation to City Council:

(a) That the City of Hamilton endorse the empowering of the Regional Municipality of Hamilton-Wentworth to regulate smoking in public places and workplaces in accordance with Section 21(14) of the Tobacco Control Act; and,

(b) That recommendations (b), (d), (e), (g), (h), (k), (l) and (m) of the Report of the Medical Officer of Health respecting "Smoke-Free Hamilton by the Year 2000", attached herewith and marked Appendix "A" be approved.

Further, there were a number of other matters which were tabled by the Committee as follows:

(a) That recommendation (a) of the Report of the Medical Officer of Health be tabled until the Regional Tobacco Control By-law is completed; and,

(b) That recommendations (c), (i), and (j) be tabled to allow staff to properly assess the financial, legal and staffing implications which would likely result from the implementation of these recommendations.

The Committee agreed to delete approval of recommendation (f) of the Report of the Medical Officer of Health as recommended by the City Clerk, and tabled this item, as herein outlined:

(f) That the City of Hamilton request that the Department of Public Health Services, Regional Municipality of Hamilton-Wentworth, assume responsibility for enforcement of tobacco-related by-laws of the City of Hamilton as well as all community calls regarding tobacco-related by-laws.

The Committee also agreed to table all of Item 5 contained in the City Clerk's report, as herein outlined:

5. (a) That the City of Hamilton request the Regional Municipality of Hamilton-Wentworth, to assume responsibility for administration and enforcement of the Smoking in Public Places By-law No. 80-258 and Smoking in the Workplace By-law No. 89-370 by the Department of Public Health Services until such time as a Regional By-law is approved; and,

(b) That the position of Smoking Control Officer (1.0 F.T.E.) be declared redundant and deleted from the complement of the City Clerk's Department; and,

(c) That $29,500. for salary and benefits for a 0.5 F.T.E. in the Department of Public Health Services be provided for in the appropriate budgets; and,

(d) That the City Solicitor be authorized and directed to prepare the necessary amendments to the appropriate by-laws to reflect the recently enacted Tobacco Control Act, enforcement of the City By-laws by the Department of Public Health Services and repealing of the Smoking in Public Places and Workplace By-laws following approval of a by-law by the Region.

2. IN CAMERA AGENDA

The Committee moved into an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved into Regular Session, and approved the following:

AA. CITY SOLICITOR AND COMMISSIONER, PUBLIC WORKS AND TRAFFIC DEPARTMENT - City of Hamilton -ats- Ecker - Ontario Court (General Division) Action No. 3461/93

(a) That the City resolve Ontario Court (General Division) Action No. 3461/93, by the payment to the Plaintiff Lucy Ecker, of the sum of $10,000., inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 3461/93 be dismissed, without costs.

BB. CITY SOLICITOR

(i) Information Report - The Usarco Limited Cleanup Costs - 361-363 Wellington Street North

(a) That the report on USARCO Limited Clean-Up costs dated 1995 September 8th from the City Solicitor be received; and,

(b) That notwithstanding the Environmental Compensation Corporation's interim decision, the Mayor be requested to advise the Province of their responsibility for the clean-up of this particular site, outlining the chronology of events and role of Provincial Ministries.

CC. TREASURER

(ii) Write off of outstanding business taxes

That Outstanding Business Taxes in the amount of $411,529.10 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to Account CH53401 24106, Tax Write-offs.

DD. COMMISSIONER OF HUMAN RESOURCES - Appointment of Fire Chief

That effective 1995 September 30, Deputy Fire Chief Garry H. Smith be appointed Fire Chief subject to the agreed terms and conditions.

EE. CHIEF ADMINISTRATIVE OFFICER - Review of Architectural Division

(a) That the Line Department Heads be responsible for the entire Capital Project, including Budget and Reporting Accountability, to the appropriate Standing Committee and Council including all phases of any project:

(i) Initiation
(ii) Feasibility Studies
(iii) Cost/Benefit Scenario including Grants and Subsidies
(iv) Preliminary Design
(v) Detailed Design
(vi) Tendering
(vii) Construction

(b) That the Architectural Division in the Property Department be discontinued; and,

(c) That the City of Hamilton retain its existing staff to provide Project Management; and,

(d) That the Treasurer be directed to establish annualized bases for the 5 staff at an estimated amount of $240,000; and,

(e) That staff be allocated to the Culture and Recreation Department to undertake Project Management of Culture and Recreation Projects and other responsibilities as assigned; and,

(f) That staff be allocated to the Building Department to undertake Project Management for the Organization and to assume other responsibilities as assigned; and,

(g) That the Director of Culture and Recreation and the Building Commissioner review the workloads and advise the Committee on which staff should be assigned to which Department with the appropriate annualized base; and,

(h) That the Barrier Free Design and Implementation be resident in the Culture and Recreation Department; and,

(i) That the City's Capital Budget Sub-Committee establish requirements and criteria for proposed buildings and facilities.

4. LICENSING COMMITTEE - Lap Dancing

The Committee was in receipt of a report from the Secretary of the Licensing Committee dated 1995 September 15, respecting the above noted matter.

The Committee approved the following:

(a) That City of Hamilton By-law 79-144, respecting Adult Entertainment Parlours, be amended as follows:

(i) That all operators of a licensed Adult Entertainment Parlour post in an area, accessible and visible to patrons and employees, a notice informing patrons of the following:

(1) The possibility of sexually transmitted diseases from physical contact; and,

(2) Criminal Code provisions, respecting assault, for the touching of any dancer without permission; and,

(3) Criminal Code provisions, respecting obscenity and indecent acts; and,

(ii) That the words "lap dancing", or any similar or synonymous words or phrases, be prohibited from being used in signs or advertisement to promote the business; and,

(iii) That an owner or operator of an Adult Entertainment Parlour shall not permit an attendant to touch or be touched by, or have physical contact with another person's body; and,

(iv) That an attendant shall not touch or have physical contact with another person's body; and,

(b) That the Hamilton-Wentworth Regional Police be urged to take the appropriate measures to enforce the prohibition against "common bawdy houses" and similar violations of the Criminal Code; and,

(c) That the Health Services Department be requested to introduce a program to warn persons (dancers and customers) of the public health dangers associated with lap dancing; and,

(d) That City Council support the Provincial Government's announced intention to legislatively prohibit lap dancing; and,

(e) That City Council request the Federal Government to amend the Criminal Code to declare lap dancing illegal or indecent; and,

(f) That the City Clerk report back to the Finance and Administration Committee in one month's time on the compliance to the above-noted recommendations.

5. TREASURER - Requested Report - Royal Canadian Legion - Property Tax Relief

The Committee was in receipt of a report from the Treasurer dated 1995 September 12, respecting the above noted matter and approved the following:

(a) That the request for Property Tax relief from the Royal Canadian Legion Branch 163 for 1995 in accordance with the Policy on Tax Exemption for Veteran's Associations adopted by City Council on 1981 September 29, be approved in the amount of $15,484.37; and,

(b) That this exemption be funded as an approved overdraft of the Tax Adjustments Centre #CH 24102; and,

(c) That this exemption reflects the third year of ten years that the policy allows for this exemption and will require applications for future years on a yearly and per need basis.

6. REVIEW OF THE DEVELOPMENT CHARGES COMMITTEE - Approval of new Development Charges Policies and Development Charges By-law

The Committee was in receipt of a report from the Chairman of the Staff Development Charges Review Committee dated 1995 September 18, respecting the above noted matter.

Alderman Agro moved to remove Development Charges from the Downtown. No seconder was obtained.

The Committee then approved the following:

(a) Development Charges Policies:

(i) That pursuant to the Development Charges Act, 1989, Development Charges be imposed to recover the growth related capital costs of new development and redevelopment in the City of Hamilton; and,

(ii) That the uses of land, buildings, or structures upon which a Development Charge shall be imposed be designated as residential and non-residential; and,

(iii) That a uniform city wide Development Charge be imposed based upon providing growth related net capital costs of:

Indoor Recreation	Library Materials
Vehicles and Equipment	Library Buildings
Traffic Signals	Outdoor Recreation
Studies	Parkland Acquisition

(iv) That a separate Area Specific Engineering Development Charge be imposed to certain designated development areas in the City in order to fairly represent the cost of providing the following services:

Stub Streets
Oversizing of Mid Block Collectors
Extra Depth Asphalt
Services Adjacent to City Lands
Street Lighting
Storm Water Retention System

(1) That the area specific Engineering Development Charges be imposed on the following areas:

(a) Greenford Neighbourhood
(b) Gershome Neighbourhood
(c) Lisgar Neighbourhood
(d) Albion Falls Neighbourhood
(e) Broughton East Neighbourhood
(f) Eleanor Neighbourhood
(g) Broughton West Neighbourhood
(h) Butler Neighbourhood
(i) Chappel East Neighbourhood
(j) Crerar Neighbourhood
(k) Jerome Neighbourhood
(l) Ryckmans Neighbourhood
(m) Allison Neighbourhood
(n) Kernighan Neighbourhood
(o) Mewburn Neighbourhood
(p) Kennedy East Neighbourhood
(q) Gourley Neighbourhood
(r) Sheldon Neighbourhood
(s) Falkirk East Neighbourhood
(t) Carpenter Neighbourhood
(u) Falkirk West Neighbourhood
(v) Mountview Neighbourhood

(2) That a separate Area Specific Storm Water Development Charge be imposed in:

(a) Hannon South Neighbourhood

(v) That the following categories of residential development be adopted and approved:

(1) Single family, semi-detached, and row houses
(2) Apartment units with 1 bedroom or less
(3) Apartment units with 2 bedrooms or more

(vi) That other residential uses such as hotels, motels, residential care facilities, student residences, and similar uses be considered as non-residential unless separate cooking facilities are provided within individual rooms; and,

(vii) That no Development Charges be imposed for non-residential development; and,

(viii) That the existing policy respecting the use of Development Charges Payment Agreements be confirmed; and,

(ix) That the existing policy of providing a Development Charge credit for up to 10 years for demolished buildings be continued; and,

(x) That the existing policy grand-fathering non-profit housing units allocated by the Ministry of Housing prior to 1990 March 27 be continued; and,

(xi) That the Development Charges be based on the rate in effect on the date of the building permit application; and,

(xii) That Development Charges may be subject to annual inflation increases based on changes to the Composite Southam Construction Cost Index, Ontario Series; and,

(xiii) That the by-law be administered jointly through the Building and Treasury Departments; and,

(xiv) That no Development Charges be imposed on redevelopment of existing developed property where ten (10) residential units or fewer are proposed; and,

(xv) That all Development Charges be paid in full prior to the issuance of the building permit unless an owner has entered into an Agreement with the City to provide for later or earlier payment thereof; and,

(xvi) That a non-residential Area Specific Storm Water Development Charge of $1,633./net developable acre for the Hannon South Neighbourhood be approved and adopted; and

(xvii) That the following schedule of Development Charges be approved and adopted:

City of Hamilton ($) RESIDENTIAL DEVELOPMENT CHARGE BY UNIT TYPE	(A) CITY WIDE CHARGE	(B) AREA SPECIFIC ENGINEERING SERVICES CHRG	(A & B) TOTAL IN AREAS WHERE AREA SPECIFIC ENGINEERING SERV CHRGS APPLY
Singles, Semis & Rows	1,565.44	208.43	1,773.87
Apts. 2 or More Bedrooms	894.54	119.10	1,013.64
Apts. 1 or Less Bedrooms	447.27	59.55	506.82

(b) Development Charges By-law:

That the appropriate Development Charges By-law be enacted to expire five years from the date of its passage.

(c) Financial Policies:

(i) That the existing Development Charges reserve fund be maintained; and,

(ii) That the City Treasurer be authorized and directed to create the following Development Charge accounts within the Development Charge reserve fund for the collection and control of Development Charges:

(1) Storm Water Retention
(2) Parkland Acquisition
(3) Studies

(iii) That the City of Hamilton 1995 - 2204 Capital Budget and Forecast be amended to reflect an overall spending level of $10,000,000. for Parkland Acquisition over the 10 years, with the provisions to be amended accordingly commencing with the 1996 Capital Budget and that the additional funding be provided from the Development Charges Fund; and,

(iv) That the unallocated balance of $1,718,889. within the Engineering Component of the Development Charges Reserve Fund as of 1994 December 31 be transferred to the Reserve for Services through Undeveloped Land; and,

(v) That investment interest on the Development Charges reserve fund be credited back to the fund; and,

(vi) That interest and refunds to be paid on over-payment or successful complaints be calculated in accordance with the Bank of Canada rate.

The Committee was also in receipt of a report from the City Solicitor on the By-law respecting Development Charges. The Committee approved this By-law for presentation to City Council.

7. DIRECTOR OF PROPERTY

(a) Offer to Purchase of City owned lot located at 195 Parkdale Avenue North -Carmine Ricciarcone

The Committee was in receipt of a report from the Director of Property dated 1995 September 11, respecting the above noted matter.

The Committee approved the following:

(a) That an Offer to Purchase Agreement, duly executed by Carmine Ricciarcone, on 1995 August 28 and scheduled to close on or before 1995 November 17, for the lands situated in the Regional Municipality of Hamilton-Wentworth and being composed of part of Lot 33, Concession 2, more particularly described as Parts 1 and 2, Plan 62R-6433, being an irregular shape having frontage along the westerly limit of Parkdale Avenue North of 16.980 metres (55.70 feet) more or less, and a depth along the southerly limit of Britannia Avenue of 34.442 metres (112.933 feet) more or less, and comprising a total area of 607.7 square metres (6,541.44 square feet) as shown in heavy outline on Plan 62R-6433 attached to the agreement and known as 195 Parkdale Avenue North, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of $75,000., less commission, be credited to Account No. CH 4X501 00202 (Reserve for Off Street Parking); and,

(b) That the required deposit cheque in the amount of $3,750. be held by the City Treasurer pending Council approval; and,

(c) That upon successful completion of this sale, a real estate commission of 5% on the $75,000. sale price be paid to Royal LePage Residential Realty Services (Nicholas Uhac, Representative), who acted in this matter; and,

(d) That this Offer to Purchase be subject to the following conditions:

(i) The Purchaser acknowledges and agrees that the Purchaser will be required to enter into, at its sole expense, a Site Plan Agreement with and satisfactory to the City should the property be used for parking purposes; and,

(ii) The Purchaser acknowledges and agrees that on or before closing it will enter into an encroachment agreement with the City of Hamilton in respect of an encroachment onto Britannia Avenue along the northerly boundary of the property; and onto Parkdale Avenue North along the easterly boundary (if any encroachment exists) which agreement shall be registered on title to the property of the expense of the Purchaser, contemporaneously with the Transfer/Deed on closing; and,

(iii) The City makes no representation, warranty, condition either expressed or implied as to soil conditions, building fitness, services, utilities, fitness for purpose of zoning and building by-laws, park, road widening or other possible dedications, or as to charges, levies and regulations of the City, the Regional Municipality, utilities or other regulatory authorities. The Purchaser shall inspect the property and shall satisfy himself in respect of such matters prior to submitting this Offer; and,

(e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(f) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory notice has been given to the public of the intended sale; and,

(ii) An appraisal of the market value of the real property intended to be sold was obtained on the 15th day of August 1995; and,

(iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

(b) **Requested Report - 11 Arthur Avenue South**

The Committee was in receipt of an Information Report from the Director of Property dated 1995 September 11, respecting the above noted matter.

Tony Powell, Solicitor was in attendance with some of the interested persons who wish to purchase this property, and spoke to the Committee on their behalf.

Discussion then ensued, and the Committee agreed:

That the vacant City owned lot known as 11 Arthur Street, which has already been declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049, be disposed of by Public Tender.

The Committee further agreed and directed the Director of Property to remove the fencing that presently exists on this property.

Further the Committee approved the following for presentation to City Council:

(a) That the Director of Property continue to work with Hamilton Habitat for Humanity to obtain a suitable City lot for residential development purposes; and,

(b) That the proceeds to be derived from the sale of 11 Arthur Avenue South be set aside for Hamilton Habitat for Humanity for the sole purpose of assisting the organization to purchase a lot upon which to erect a residential dwelling.

8. DIRECTOR OF INFORMATION SYSTEMS - IBM Computer Maintenance Agreement

The Committee was in receipt of a report from the Director of Information Systems dated 1995 September 13, respecting the above noted matter.

The Committee approved the following:

(a) That the existing computer maintenance agreement (due to expire 1996 July 1) with IBM be terminated, and replaced with a new agreement with IBM Canada Limited at the following (reduced) rates (PST and GST extra):

Account #	Description	Amount
CH 57101 26020	Equipment Repair (Central Processing)	$1,520./month
CH 57101 26014	Equipment Repair (Disk & Tape)	$4,090./month
CH 57101 26016	Equipment Repair (Host Printing)	$1,020./month
CH 57101 26022	Equipment Repair (Communications)	$1,040./month
CH 57101 26025	Equipment Repair (Data Entry)	$ 420./month

(b) That the maintenance schedule be in effect for a 36 month period, starting 1995 October 1, with options for termination at the end of the term of Council or upon 30 days notice, subject to any discount penalties that may apply.

9. FIRE CHIEF AND CITY SOLICITOR - Standard Contract for Communications Services

The Committee was in receipt of a joint report from the Fire Chief and the City Solicitor dated 1995 September 12, respecting the above noted matter and approved the following:

That the City of Hamilton enter into an agreement for the provision of Dispatch Service by the Hamilton Fire Department for each of the area Municipal Fire Departments within the Regional Municipality of Hamilton-Wentworth (Ancaster, Dundas, Flamborough, Glanbrook and Stoney Creek).

10. REFERRAL OF CORRESPONDENCE - Correspondence - Hamilton Construction Association - Regional Review of Fair Wage Schedule/Ontario Fair Wage Schedule (referred from previous meeting)

The Committee was in receipt of correspondence from the Hamilton Construction Association dated 1995 August 22, respecting the above noted matter.

The Committee agreed to **receive** this letter as information.

11. APPOINTMENT OF ALDERMEN TO SERVE ON THE HAMILTON STATUS OF WOMEN SUB-COMMITTEE

The Committee was in receipt of a memorandum from the Secretary of the Finance and Administration Committee dated 1995 September 8, respecting the above noted matter.

Discussion ensued. It was moved and seconded to appoint Alderman D. Wilson to serve as a Council representative on the Hamilton Status of Women Sub-Committee.

Motion Lost on a Tie Vote

It was moved, seconded and **Carried**:

> That Alderman M. Caplan be appointed to serve as a Council representative on the Hamilton Status of Women Sub-Committee for a term to expire 1997 November 30th.

It was moved and seconded to appoint Alderman M. Kiss to serve as a Council representative on the Hamilton Status of Women Sub-Committee.

Motion Lost on a Tie Vote.

With respect to the appointment of a second Council representative to the Hamilton Status of Women Sub-Committee, the Committee agreed to **refer** this matter to the next meeting of the Finance and Administration Committee for consideration.

ADDED - Request to place sign board on City Hall Forecourt - Hamilton and District Chamber of Commerce

The Committee was in receipt of an added report from the Acting City Clerk respecting the above-noted matter.

It was indicated in the report that a request has just been received from the Hamilton and District Chamber of Commerce to place a 10' by 20' mobile single faced, non-illuminated sign board on the City Hall Forecourt during the period from 1995 September 20 - 27 to welcome delegates attending The Canadian Chamber of Commerce Convention at the Hamilton Convention Centre.

Following consideration of this matter, the Committee agreed to take **no action** on this request.

3. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1995 August 22nd, and the minutes of its special meeting held on Tuesday, 1995 August 29th. The Committee approved these minutes as circulated.

B. CITY CLERK

(i) Use of Council Chambers - Rwanda Solidarity Committee - 1995 September 27th

The Committee was in receipt of a report from the City Clerk dated 1995 September 7, respecting the above noted matter and approved the following:

(a) That approval be given to the action taken by the City Clerk in authorizing the Rwanda Solidarity Committee to use the Council Chambers from 7:00 p.m. to 9:30 p.m. on Wednesday, 1995 September 27 for a Presentation Ceremony; and,

(b) That the City Clerk be granted authority to approve a similar use in future years, provided it does not interfere with any other activity.

(ii) Use of Second Floor Foyer - World Vision Canada

The Committee was in receipt of a report from the City Clerk dated 1995 September 7, respecting the above noted matter and approved the following:

(a) That approval be given to the action taken by the City Clerk in authorizing World Vision Canada to use the Second Floor Foyer on Friday, 1995 September 29, from 6:00 p.m. to 9:00 p.m., for a slide presentation with regard to the World Vision Canada Ipililo Child Sponsorship Project; and,

(b) That the City Clerk be granted authority to approve a similar use in future years, provided it does not interfere with any other activity.

(iii) Message of Congratulations to the Hamilton Chamber of Commerce on its 150th Anniversary in a Special Edition insert in The Spectator

The Committee was in receipt of a report from the Acting City Clerk dated 1995 September 15, respecting the above noted matter and approved the following:

(a) That approval be given to the action taken to purchase a Message of Congratulations to the Hamilton and District Chamber of Commerce for its 150th Anniversary in a Special Edition insert in The Spectator to be published on Tuesday, 1995 September 19th at a cost of $550., plus G.S.T.; and,

(b) That funds for this expenditure be derived from Account No. CH 56302 12000 (Advertising and Promotion Account - City Clerk).

(iv) **Change of Date for use of Forecourt - Heart of the City Line Dance**

The Committee was in receipt of a report from the Acting City Clerk dated 1995 September 14, respecting the above noted matter and approved the following:

That approval be given to the action taken by the Acting City Clerk in authorizing the change of date for the use of the Forecourt by the Heart of the City Action Centre, for the "Biggest Country Line Dance", from Friday, 1995 September 15 - 3:00 - 8:00 p.m. to Saturday, September 16 - 1:00 - 5:00 p.m.

(v) **Use of Council Chambers - 1995 September 16 - World Bocce Championship Reception**

The Committee was in receipt of a report from the Acting City Clerk dated 1995 September 14, respecting the above noted matter and approved the following:

(a) That approval be given to the action taken by the City Clerk in authorizing the use of the Council Chamber and Second Floor Foyer on Saturday, 1995 September 16 from 12:15 p.m. to 2:00 p.m. for a Reception for International Representatives attending the World Bocce Championship in Hamilton; and,

(b) That the City Clerk be granted authority to approve of a similar use in future years, provided it does not interfere with any other activity.

(vi) **Use of City Hall Forecourt - German Band Performance - 1995 September 27th**

The Committee was in receipt of a report from the Acting City Clerk dated 1995 September 14, respecting the above noted matter and approved the following:

That approval be given for the German Band Spielmannszug Der Stuttgarter Zigeunerinsel to give a special performance on the City Hall Forecourt on Wednesday, 1995 September 27 from 11 a.m. to noon, during their visit to the City as part of the Steel City Oktoberfest Celebrations.

(vii) **Use of Council Chambers - Reception - Italian Airforce Veterans Association -Saturday, 1995 October 14th**

The Committee was in receipt of a report from the Acting City Clerk dated 1995 September 15 respecting the above noted matter and approved the following:

(a) That approval be given for the Council Chamber and Second Floor Foyer to be used for a reception for the Veterans of the Italian Air Force Association (Associazione Arma Aeronautica) (Hamilton Chapter) on Saturday, 1995 October 14 at 11:00 a.m.; and,

(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

C. TREASURER

(i) Authorization to enter into Extension Agreements on Specific Properties for the Payment of Realty Tax Arrears

The Committee was in receipt of a report from the Treasurer dated 1995 September 8, respecting the above noted matter.

The Committee approved the following:

(a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

6 Minto	8 Harvey
89 Sanford S	4 Mars
000 Upper James	340 Jackson West
105 Hempstead	405 Hess South
19 Mayflower	63 1/2 Fullerton
65 Fullerton	71 Kenilworth North
26 Holton North	644 Barton East
121 Victoria North	

(b) That the attached by-law to authorize the said Extension Agreements be enacted by Council; and,

(c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

(ii) Information Report - Corporate Overview of Quarterly Reports as at 1995 June 30th

The Committee was in receipt of an Information Report from the Treasurer dated 1995 September 15, respecting the above noted matter, and **received** this document for information.

(iii) Information Report - Financial Accounts and Other Non-Departmental Quarterly Reports as at 1995 June 30th

The Committee was in receipt of an Information Report from the Treasurer dated 1995 September 15, respecting the above noted matter, and **received** this document for information.

D. DIRECTOR OF PROPERTY

(i) Roof Replacement, Sir Allan MacNab Recreation Centre

The Committee was in receipt of a report from the Director of Property dated 1995 August 24, respecting the above noted matter.

The Committee approved the following:

(a) That approval be given to issue a purchase order in the amount of $99,938., inclusive of G.S.T., ($6,538.) to commission Roque Roofing & Sheet Metal Ltd. of Hamilton for the replacement of the roof at the Sir Allan MacNab Recreation Centre, being the lowest price of eight quotes received in accordance with the specifications (REF: C14-13-95) issued by the Manager of Purchasing; and,

(b) That as this work is to be completed as soon as possible, the above has been processed thorough the emergency procedures of the City of Hamilton Purchasing Policy that states "An order can be placed upon the approval of two of the following: The Mayor, an appropriate Committee Chairman, the C.A.O and that any action taken under this provision to be reported to the next regular meeting of City Council."

(ii) CUP-Cogeneration Alternative Site Study

The Committee was in receipt of a report from the Director of Property dated 1995 August 18, respecting the above noted matter.

The Committee approved the following:

(a) That approval be given to issue a purchase order to Marsh Energy Inc. of Burlington, Ontario in the amount of $79,900., plus G.S.T., for the engineering evaluation of:

(i) Optional larger 4.8 megawatt cogeneration plant; and,

(ii) Determination of the available excess heat from the cogeneration installation; and,

(iii) To determine the optimum size and configuration of the City Hall boiler plant consistent with the cogeneration facility; and,

(b) That as timing is of the essence due to the timetable of the Canada/Ontario Infrastructure Works Program and so that the City can realize the energy savings at the earliest possible date, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

(iii) Carpet Replacement City Hall 5th, 6th, & 7th Floors

The Committee was in receipt of a report from the Director of Property dated 1995 September 8, respecting the above noted matter.

The Chairman advised that this item is being withdrawn from the Agenda for further review.

(iv) **Direct Purchase of Natural Gas**

The Committee was in receipt of a report from the Director of Property dated 1995 September 7, respecting the above noted matter and approved the following:

(a) That the Corporation of the City of Hamilton exercise its second year option and accept the proposal submitted by Westcoast Gas Services Inc. for the supply of natural gas on a direct purchase basis to all City owned buildings at a price of $1.30/Gigajoule for the period 1995 November 1 to 1996 October 31, in accordance with specifications issued by the Purchasing Department; and,

(b) That the existing contracts be amended in a form satisfactory to the City Solicitor; and,

(c) That as time is of the essence and in order to take advantage of the fluctuations in the market price of natural gas, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

E. COMMISSIONER OF HUMAN RESOURCES - Appointments to and Terminations from Permanent Positions

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1995 September 7, respecting the above noted matter and approved the following:

That the listing of Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1995 September 8, attached herewith and marked Appendix "B", be approved.

F. DIRECTOR OF INFORMATION SYSTEMS

(i) Supplier for Microcomputer Workstations

The Committee was in receipt of a report from the Director of Information Systems dated 1995 September 8, respecting the above noted matter.

The Committee approved the following:

(a) That Microcomputer workstations be acquired in accordance with the following:

Description	Supplier	Price	Comment
NEC 486-DX2 PCs	Fairview Computers Inc. Burlington	$2,095.	lowest of 12 proposals

(b) Funding to be provided from Account # CH56605-26032 (Workstation Leasing)

(ii) Leasing Supplier for Mircrocomputer Workstations and Printers

The Committee was in receipt of a report from the Director of Information Systems dated 1995 September 8, respecting the above noted matter.

The Committee approved the following:

(a) That MFP Technology Services Inc. Mississauga, Ontario provide leasing services for microcomputer workstations and printers at the rate of $28./$1,000./month for 36 months (the lowest of twelve proposals received); and,

(b) That decisions to lease or purchase be made in each case, in consultation with the Treasurer; and,

(c) That the Mayor and the City Clerk be authorized to execute any amendments to the master lease agreement and that the agreement be in a form satisfactory to the City of Hamilton Solicitor (the City of Hamilton is the lessee); and,

(d) That funding be provided from Account # CH56605-26032 (Workstation Leasing).

G. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1995 September 15. The Chairman noted that there should be an amendment to this report to include the receipt of the quarterly report from the City Solicitor which had been inadvertently omitted from the listing.

The Committee then approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Correspondence - Canada's National Safety Council - Support for Bill C-68 - The Firearms Act - letter dated 1995 September 6th

(b) Information Report - Commissioner of Human Resources - Departmental Quarterly Report as at 1995 June 30 - report dated 1995 September 11th

(c) Information Report - Director of Property - Departmental Quarterly Report as at 1995 June 30th - report dated 1995 September 8th

(d) Information Report - Acting Fire Chief - Fire Department Quarterly Report as at 1995 June 30th - report dated 1995 September 12th

(e) Information Report - Director of Information Systems - Departmental Quarterly Report as at 1995 June 30th - report dated 1995 September 14th

(f) Information Report - Chief Administrative Officer - Chief Administrative Office Quarterly Report as at 1995 June 30th - report dated 1995 September 14th

(g) Information Report - Acting City Clerk - Departmental Quarterly Report as at 1995 June 30th - report dated 1995 September 14th

(h) Information Report - Director of Information Systems - 1995 Information Systems Survey Results - report dated 1995 September 8th

(i) Correspondence - Regional Clerk - Notice of the Passage of By-law R95-084, being a by-law to amend Development Charges By-law R94-064, of the Regional Municipality of Hamilton-Wentworth - letter dated 1995 September 6th

(j) Correspondence - Regional Chairman T. Cooke - Region-wide Tobacco By-law - letter dated 1995 July 17th

(k) Information Report - Treasurer - Treasury Department Quarterly Report as at 1995 June 30th - report dated 1995 September 14th

(l) Information Report - City Solicitor - Departmental Quarterly Report as at 1995 June 30th - report dated 1995 September 14th

12. OTHER BUSINESS

Mayor Morrow submitted correspondence he had received from Gwynneth Hawes Cook of the North End Children's Centre Inc. regarding the use of 1314 Main Street East for their Thrift Store Program.

13. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder.

Susan K. Reeder
Secretary
1995 September 19

1995 September 26

Appendix "A" referred to in Section 1(b) of the TWENTY-SECOND Report of the Finance and Administration Committee for 1995.

RECOMMENDATIONS FROM: Dr. M. James, Medical Officer of Health

RESPECTING: *"SMOKE-FREE HAMILTON BY THE YEAR 2000"*

(a) That the City of Hamilton appoint an ad hoc working committee, with representation as outlined in Schedule A, to:

- draft amended tobacco-related by-laws to make all public places, schools and workplaces smoke-free
- co-ordinate the implementation and evaluation of the recommendations in this report
- prepare an annual report by March 1st outlining the progress from the previous year towards fulfilling the recommendations of this report to achieve a "Smoke-Free Hamilton by the Year 2000"; and, **(RECOMMENDATION - TABLE)**

(b) That the City of Hamilton provide for the suspension or revocation of tobacco retail licenses upon conviction of violation of pertinent legislation regulating tobacco products; and, **(RECOMMENDATION - APPROVE)**

(c) That the City of Hamilton increase the licensing fees to cover the cost of administering and enforcing the tobacco-control by-laws; and, **(RECOMMENDATION - TABLE)**

(d) That the City of Hamilton request the Federal Government to enact a ban on all tobacco brand name sponsorship or tobacco product advertising; and, **(RECOMMENDATION - APPROVE)**

(e) That the City of Hamilton request the Federal Government to enact legislation to require generic packaging of all tobacco products; and, **(RECOMMENDATION - APPROVE)**

(f) That the City of Hamilton request that the Department of Public Health Services, Regional Municipality of Hamilton-Wentworth, assume responsibility for enforcement of tobacco-related by-laws of the City of Hamilton as well as all community calls regarding tobacco-related by-laws; and, **(RECOMMENDATION - TABLED)**

(g) That the City of Hamilton, upon request, provide the Hamilton-Wentworth Department of Public Health Services, Regional Municipality of Hamilton-Wentworth, with a listing of current licensed tobacco retailers to ensure effective enforcement; and, **(RECOMMENDATION - APPROVE)**

(h) That the City of Hamilton request the Regional Police to assist with the enforcement of municipal by-laws concerned with smoking in the workplace and in public places; and, **(RECOMMENDATION - APPROVE)**

(i) That the City of Hamilton adopt a policy which bans the use of brand name advertising and promotion by tobacco companies at City sponsored events, or on City owned or managed properties; and, **(RECOMMENDATION - TABLE)**

(j) That the City of Hamilton ensure that tobacco products are not sold or used at any City of Hamilton owned or managed facility or event; and, **(RECOMMENDATION - TABLE)**

(k) That the City of Hamilton, through the Human Resources Centre, promote the availability of tobacco cessation support services for employees; and, **(RECOMMENDATION - APPROVE)**

(l) That the City of Hamilton continue to appoint a representative to the Hamilton-Wentworth Council on Smoking and Health; and, **(RECOMMENDATION - APPROVE)**

(m) That the City of Hamilton encourage event co-ordinators to provide smoke-free occasions, whether indoors or outdoors, that would be recognized by issuing a certificate of recognition. **(RECOMMENDATION - APPROVE)**

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

Appendix "B" referred
to in Section 24 of the
TWENTY-SECOND Report of the
Finance and Administration
Committee for 1995.

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Joyanne Beckett	I	Building Engineer (J)	Building	Replacing Mr. S. Rao - retired, Nov. 20/94	$53,779.96 to $63,398.40	July 24/95
Ms. Katie Carson	I	Secretary II (8C)	Fire	Replacing Ms. C. Labic - promoted, July 17/95	$25,960.48 to $28,151.76	Aug. 21/95
Ms. Colleen Cullen	I	Probationary Fire Inspector (N1C)	Fire	Replacing Mr. C. Gates - retired, May 05/95	$34,234.08	July 10/95
Ms. Susan Hayward	I	Traffic Legislative Technician (23E)	Traffic	Replacing Mr. M. Trink - resigned, June 16/95	$42,169.40 to $47,920.60	July 24/95

Prepared September 08, 1995

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Cindy Lahaie	I	Probationary Fire Inspector (N1C)	Fire	Replacing Mr. W. Jacklin - retired, Nov. 30/94	$34,234.08	July 17/95
Mr. Oscar Lopez	I	Traffic Signal Specialist (18C)	Traffic	Replacing Mr. J. Price - retired, Dec. 31/95	$36,275.72 to $41,754.44	July 17/95
Mr. Gordon Mooney	I	Traffic Signal Specialist (18C)	Traffic	Replacing Mr. B. Perino - promoted, March 06/95	$36,275.72 to $41,754.44	July 17/95
Mr. Bob Morley	I	Licence Inspector II (18D)	Clerk's	Returning to former position	$36,033.92 to $41,863.64	July 13/95

Prepared September 08, 1995

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Peter Shaw	I	Probationary Fire Inspector (C5S)	Fire	Replacing Mr. J. Kyle - terminated, May 24/94	$52,526.24	July 10/95
Mr. Douglas Tam	I	Supervisor, Customer Service (J)	Building	Replacing Mr. L. Kerr - promoted, Sept. 25/95	$53,779.96 to $63,398.40	July 24/95
Mr. Andrew Tapp	I	Probationary Communications Officer (N1)	Fire	Replacing Ms. C. Cullen - transferred, July 10/95	$36,867.15	August 14/95
Ms. Lynne Tofani	I	Administrative Assistant I (N)	Mayor's Office	Replacing Ms. G. Turner - retired, June 30/95	$37,794.64 to $44,568.68	June 30/95

Prepared September 08, 1995

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. William Brock	Sanitation Worker	Public Works	Terminated	1 year	July 27/95
Ms. Annette McGaughey	Support Services Technician	Information Systems	Resigned	4 years, 9 months	July 25/95

Prepared September 8, 1995

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

Tuesday 1995 September 26
7:00 o'clock p.m.
Room 233, City Hall

A.
(ii)

The Finance and Administration Committee met in Special Session.

Present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice Chairman
Mayor R. M. Morrow
Alderman M. Kiss
Alderman V. J. Agro
Alderman D. Wilson
Alderman T. Anderson

Regrets: Alderman D. Drury

Also Present: Alderman T. Jackson
Alderman F. Eisenberger
Alderman H. Merling
Alderman G. Copps
P. Noé Johnson, Acting Chief Administrative Officer and City Solicitor
J. Johnston, Commissioner of Human Resources
Susan K. Reeder, Secretary

A G E N D A

PRIVATE AND CONFIDENTIAL AGENDA

The Committee moved into an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

REGULAR SESSION

(a) That the City resolve Ontario Court (General Division) Action No. 93-W-64448 by:

(i) payment to the Plaintiff Gordon Kerr of the sum of $55,000., inclusive of all damages (subject to required statutory deductions), pre-judgment interest, and legal fees; and,

(ii) payment to the Plaintiff's Assessable Disbursements, currently estimated as $1,343.19; and,

(iii) the Plaintiff execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(b) That the City Solicitor and the Treasurer be authorized to co-operate with the Plaintiff and his solicitor in the allocation, timing and manner of the payment.

ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder.

Susan K. Reeder
Secretary
1995 September 26

A. (iii)

Tuesday 1995 September 26
10:30 o'clock p.m.
Room 233, City Hall

The Finance and Administration Committee met in Special Session.

Present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice Chairman
Mayor R. M. Morrow
Alderman M. Kiss
Alderman V. J. Agro
Alderman D. Drury
Alderman D. Wilson
Alderman C. Collins
Alderman T. Anderson

Also Present: Alderman Merling
Mr. J. Johnston, Commissioner of Human Resources
Mr. J. Schatz, City Clerk
Mr. K. Christenson, Acting Secretary

A G E N D A

1. PRIVATE AND CONFIDENTIAL AGENDA

The Committee moved into an In-Camera Session to discuss matters of a Private and Confidential nature.

After the In-Camera Session the Committee moved back into Regular Session.

2. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

K. C. Christenson
Acting Secretary
1995 September 26

B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears

RECOMMENDATION:

1) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994:

386 Barton East 178 Barons North

2) That the attached by-law to authorize the said Extension Agreements be enacted by Council.

3) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The execution of the by-law and agreements, where required, will defer the City's right to sell the lands for tax arrears for a maximum period of 24 months; however, the City will be in receipt of regular monthly payments towards current and prior years arrears over the term of the agreements.

BACKGROUND:

Section 8 of the Municipal Tax Sales Act provides that the municipality, by a by-law passed after the registration of the tax arrears certificate and before the expiry of the one-year period for redemption, may authorize an extension agreement with the owner of the land extending the period in which the cancellation price is to be paid. On June 28, 1994, in accordance with this legislation, Council approved a policy authorizing the City to enter into extension agreements with taxpayers providing certain conditions were met.

The owner of a property which has been registered for tax arrears may request the City to consider an extension agreement at any time up to and including the final day on which the redemption period expires. Administratively, there may not be sufficient time to obtain the necessary Council approval of the by-law prior to this deadline. Accordingly, staff are requesting advance authorization for the City to enter into extension agreements, if necessary, with the owners of the above specific properties providing they meet the conditions outlined in the policy adopted by Council on June 28, 1994.

In certain instances when all of the conditions in the extension agreement policy are not met the Treasurer should be allowed the latitude to recommend an extension agreement be entered into if it is deemed to be in the best financial interest of the municipality. Under these circumstances a separate report would be provided to the Committee for deliberation and approval.

During the initial months of this repayment option it has been ascertained that operational time constraints, e.g. writing of reports, council approvals, make it necessary to have the authorization to enter into these extension agreements pre-approved. Accordingly, in the month that the legislated final notices for the tax registration process are mailed out (280 days from the registration date), a listing of all those properties for which the owners may wish to enter into an extension agreement will be forwarded to Committee and Council for approval. Owners who show an interest in entering into an extension agreement with the City prior to the mailing of the final notices, will be added to the monthly reports as required.

/TAB

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1995, A.D.,

CITY CLERK **MAYOR**

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	386 BARTON EAST
	SERIAL NUMBER	03 02150 1030
	BRIEF LEGAL DESCRIPTION	PLAN 234 PART LOT 4, RP62R2189 PART 1
	DATE OF REGISTRATION	AUGUST 29, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM216214
	REDEMPTION DATE	AUGUST 29, 1996
	TOTAL ARREARS	$15,963.57
B)	PROPERTY ADDRESS	178 BARONS NORTH
	SERIAL NUMBER	04 03320 1930
	BRIEF LEGAL DESCRIPTION	PLAN 613 LOT 194
	DATE OF REGISTRATION	SEPTEMBER 12, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM217189
	REDEMPTION DATE	SEPTEMBER 12, 1996
	TOTAL ARREARS	$13,717.40

B. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 25

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing the City's Share of Additional Costs in the Albion Mills Subdivision

RECOMMENDATION:

That the cost revision from $18,000. to $33,000. for the detailed Storm Water Management Study for the Albion Mills Subdivision in order to provide an Environmental Impact Statement to determine the impact of development in the Albion Falls Neighbourhood and the immediate area in the amount of $15,000., be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The net amount to be financed for all 1995 projects related to subdivision expenditures, including this recommendation, is $57,843. The 1995 Capital Budget includes a provision of $1,273,000 for the City's share of subdivision expenditures in 1995.

BACKGROUND:

The details of the project cost are outlined in the attached report from E.M. Gill, Senior Director, Roads Department, dated 1995 September 28.

NRA/an
Att.

c.c. E.M. Gill, Senior Director, Roads Department
K. Christenson, Secretary, Transport and Environment Committee
M. Watson, Manager, Real Estate Division, Property Department

ROADS DEPARTMENT

MEMORANDUM

****

TO: K. Christinson
Secretary, Transport and Environment Committee

YOUR FILE:

FROM: Eugene P. Chajka, P.Eng.
Manager of Development
Roads Department
Att:P. Strong

OUR FILE: S701-73
PHONE: (905) 546-2809
FAX: (905) 546-2870
DATE: September 28, 1995

SUBJECT: **"1995 EXPENDITURES RELATED TO SUBDIVISIONS", REPORT (R-95-59)**

Our office has revised the above-noted report to include an additional $5,000.00 for the Environmental Assessment Study. This change is necessary since a component was overlooked in the estimated cost. The additional cost will provide for public involvement in the study process.

EC/ps
cc: N. Adhya, Treasury Department

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 28
S701-73 E. Chajka/P. Strong

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E.M. Gill, P. Eng.
Senior Director
Roads Department

SUBJECT: **1995 Expenditures Related to Subdivisions (R-95-59)**

RECOMMENDATION:

That the City's share of $18,000 for the detailed storm water Management Study for the Albion Mills Subdivision be increased to $33,000. in order to also provide an Environmental Impact Statement to determine the impact of development in the Albion Falls Neighbourhood and the immediate area and that the the Finance and Administration Committee recommend the source of funding for the additional $15,000.

per: **E. M. Gill, P. Eng.**

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The total estimated costs of the City's share of the Environmental Assessment Study is $33,000. The total estimated cost of the study is now $45,000., of which $12,000. is being contributed by the subdivider.

Cont'd...

1995 September 28

1995 Expenditures Related to Subdivisions

Cont'd...

FINANCIAL/STAFFING/LEGAL IMPLICATIONS (Cont'd)

Ti City's share of costs ($33,000.) is associated with the Environmental Impact Statement for the Albion Mills Estates subdivision and the surrounding area, including lands to the south known as Redhill Vista subdivision.

The City's share, for the study is fully recoverable from the proceeds of the sale of City lands for Albion Mills Estates.

BACKGROUND:

At its meeting of 1995 July 11 City Council approved the City's share of $18,000. for a Detailed Storm Water Management study in connection with the development of City owned lands in the Albion Falls Neighbourhood.

The development of "Albion Mills Estates", the City owned lands will also require the completion of an Environmental Impact Statement, (E.I.S.). As components of both the E.I.S. and the Stormwater Management Study require similar work activities to be conducted, it is more cost effective and efficient to complete both studies in one instead of duplication the work in the future.

Regional staff have retained the services of Philips Planning and Engineering Limited to conduct the Environmental Assessment Study, who have provided an estimate of $45,000. to complete the required study. An amount of $12,000. of the cost is being contributed by the subdivider.

The City's share of the cost of the study is recoverable from the proceeds of the sale of the lands.

EPC/ps

cc: A.C. Ross, City Treasury Department, Att: D. Cobb
cc: M. Watson, Real Estate Division, City Property Department
cc: Alderman D. Ross, Chairman, Finance & Administration Committee
cc: S. Reeder, Secretary, Finance & Administration Committee

B.

(iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Construction of Independent Concrete Sidewalk on the South Side of Rymal Road East from Upper James Street to Springside Drive

RECOMMENDATION:

a) That By-Law No. 95-155 be amended to provide for increased costs to construct an independent concrete sidewalk on the south side of Rymal Road East from Upper James Street to Springside Drive under the Local Improvement Act at an estimated $30,000., and;

b) That the City's share of $30,000. from $24,133.30 to $54,133.30 be financed from the 1995 Capital Levy (Account Centre No. CH22002), and;

c) That the total project cost be revised from $74,800. to $104,800, and;

d) That the amending By-Law be prepared and submitted in a form satisfactory to the City Solicitor enactment by City Council.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1995 Capital Budget includes a provision for the City's share of Local Improvements in the gross amount of $650,000. with a Provincial subsidy of $163,000. and a balance of $487,000. to be financed from the 1995 Capital Levy. The City's share of local Improvements approved in 1995 including this recommendation, amount to $118,859.30. The issuance of debenture for this project will not exceed the City's prescribed limit as outlined in the Municipal Act.

BACKGROUND:

This item is to be considered by the Transport and Environment Committee on 1995 October 2. The details of this project are outlined in the attached letter from D. Lobo, Commissioner of Public Works and Traffic, dated 1995 September 22.

NRA:jc
Att.

c.c. K. Christenson, Secretary, Transport and Environment Committee
D. Lobo, Director of Public Works, Attention: R. Meiers
P. Noé Johnson, City Solicitor, Attention: S. Riley and D. Powers
J. Bruzzese, Acting Commissioner of Finance, Region
V.J. Abraham, M.C.I.P., Director of Local Planning
D.Y. Onishi, Director of Design and Construction, Roads Department, Region

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 22

REPORT TO: K. Christenson
Secretary, Transport and Environment Committee

FROM: D. Lobo
Commissioner of Public Works & Traffic

SUBJECT: **Rymal Road East, South Side from Upper James Street to Springside Drive**
Local Improvement Sidewalks Increased Costs

RECOMMENDATION:

1. That the estimated cost in the City's share of the construction of an independent concrete sidewalk on the south side of Rymal Road East from Upper James Street to Springside Drive be increased from $24,133.30 to $54,133.30.

2. That the Finance and Administration Committee be requested to recommend a source of funds for these increased costs.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Provision has been made for these works in the 1995-2004 Capital Budget. The approval of this increased cost will reduce the balance available in the City's share to $531,140.70.

BACKGROUND:

These works were approved by Council on August 29, 1995 in adopting Item 5 of the 10th Report of your Committee.

The Region has received a tender for this work. The tender costs exceed the estimate by $30,000.00.

CITY OF HAMILTON
- RECOMMENDATION -

B. (iv)

DATE: 1995 September 29.

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing Consultant Fee - Local Government Restructuring

RECOMMENDATION:

a) That the upset limit of $10,000 to retain Harry Kitchen, Consultant, to assist the Committee of the Whole in drafting a position on Local Government Restructuring be financed from Consultants fees account CH 55406 24101.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are sufficient funds within the identified account to cover this one-time unbudgeted expenditure, taking into account previously approved funding and consulting expenditures.

BACKGROUND:

At its meeting September 19, 1995, City Council in approving item 2(a) of the Sixth Report of the Committee of the Whole, approved of the retention of Harry Kitchen, Consultant to formulate a position for the City with respect to Local Government Restructuring. The financing for this one-time expenditure was to be recommended by the Treasurer, which this report addresses.

B. (v)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Status of Hamilton Hydro G.S.T. - I.T.C. Rate Rebate

RECOMMENDATION:

a) That the invoice in the amount of $73,275.33 from Hamilton Hydro be paid from CH 5X921-00140, and;

b) That the reserve account 00140 be closed and the balance be transferred tot he reserve for working funds (#00172).

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

When G.S.T. was instituted, it was not clear how it was to be applied to transactions between Hamilton Hydro and the City of Hamilton. The options were whether the City should receive an Input Tax Credit (I.T.C.), that is a 100% refund of the 7% G.S.T. paid on goods and services from Hamilton Hydro, or whether the 4% municipal rebate would be applied for a net G.S.T. payment of 3%.

Hamilton Hydro was advised by Treasury Board and the Canadian Federation of Municipalities to base their billings on the municipal rebate rate of net 3%.

On the basis of a 1991 G.S.T. ruling, Hamilton Hydro refunded 100% of G.S.T. paid by the City of Hamilton. The City has maintained the refund in a reserve pending legislative clarification.

Bill C-13 amended the legislation retroactively to 1991 to cause the transactions to be taxable for G.S.T. purposes at the municipal rate of 3%. The invoice is therefore payable.

The account should now be closed out and remaining balances be transferred to the reserve for working funds.

MBCS:jc

C.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 21 SEP 2 1 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: **By-law Respecting 1994 Debenture Projects and Amounts**

RECOMMENDATION:

That the attached By-law be enacted by City Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On July 11, 1995, City Council in adopting Section 16 of the 18th Report of the Finance and Administration Committee authorized an amendment to By-law No. 94-095 to transfer the debenture proceeds from the Riverdale Recreation Centre Project to the purchase of St. Agnes Park.

LEF:as

c.c. A. Ross, Treasurer
Attention: N. Adhya

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend

By-law No. 94-095

Respecting

1994 DEBENTURE PROJECTS AND AMOUNTS

WHEREAS By-law No. 94-095 was enacted on May 31, 1994 and included the Riverdale Recreation Centre Design as a project;

AND WHEREAS City Council, on July 11, 1995, in adopting Item No. 16 of the 18th Report of the Finance and Administration Committee authorized an amendment to the 1994 Debenture Projects to change the Riverdale Recreation Centre design costs and to include the acquisition cost of St. Agnes Park;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Paragraph 12 of Schedule "A" of By-law No. 94-095 is amended by removing paragraph 12 and replacing it with the following:

	Project	Gross Cost	Receipts & Subsidies	Debenture Amount	Term of Debenture
12)	Riverdale Recreation Centre - Design Etc.	$ 92,911.84	--	$ 92,911.84	20 years

2. Schedule "A" of By-law No. 94-095 is further amended by adding the following:

	Project	Gross Cost	Receipts & Subsidies	Debenture Amount	Term of Debenture
20)	Acquisition of 141 Vittorito Avenue (St. Agnes Park)	$407,088.16	--	$407,088.16	20 years

PASSED this day of , 1995.

CITY CLERK MAYOR

D.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 22

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton (C-037-095)

RECOMMENDATION:

That the attached listing of Appointments To and Terminations from Permanent positions with the Corporation to 1995 September 21 be approved.

JJ/mb

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Deborah Gagnon	I	Paralegal/Prosecutor (N)	Law	Replacing Mr. A. Biro - retired, Dec. 30/94	$37,794.64 to $44,568.68	Aug. 28/95

Prepared September 21, 1995

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Carl Jason	Concrete Finisher	Public Works	Terminated	4 years, 3 months	Aug. 28/95
Mr. Richard Ladniak	Caretaker	Property	Resigned	5 years, 9 months	Aug. 29/95
Mr. George Baker	Fire Chief	Fire	Retired	35 years, 6 months	Sept. 29/95

Prepared September 21, 1995

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

E. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Use of Committee Rooms 264 and 233
Multicultural Health Coalition

RECOMMENDATION:

(a) That approval be given to the Multicultural Health Coalition (Hamilton Chapter) to use Committee Rooms 264 and 233 on Thursday, 1995 November 23 from 7:00 to 9:00 p.m. for a Community Consultation Meeting; and,

(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND:

The Hamilton Chapter of the Multicultural Health Coalition was formed in the early 1980's to provide health education, information and care which meets the needs of a multicultural society. The Coalition is intended to support and complement existing services or organizations by holding educational seminars and providing information to government and the health care system.

The purpose of the Community Consultation Meeting is to glean information from the public regarding social and health issues in the community. Interpreters will be provided.

cc: Mayor's Office
Mr. Rob Swan, Manager, Building Operations & Maintenance Division
Information Desk

E.(ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Use of Second Floor Foyer
Ontario March of Dimes

RECOMMENDATION:

(a) That approval be given to the Ontario March of Dimes to place a paper Ability Tree on the second floor at City Hall during the month of November 1995; and,

(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND:

The Ontario March of Dimes are requesting approval to place a paper Ability Tree on the second floor at City Hall for the month of November. The tree will be similar to the tree in the March of Dimes logo and the names of all donors who contribute over $200.00 will be placed on the tree.

cc: Mayor's Office
Rob Swan, Manager, Building Operations and Maintenance Division
Information Desk

E. (iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Use of Council Chamber and Second Floor
Chinese Cultural Association

RECOMMENDATION:

a) That approval be given to the Chinese Cultural Association to use the following City Hall facilities in order to enhance the Hamilton Sesquicentennial Birthday celebration:

   i) Council Chamber on Monday, 1996 February 5 at 3:00 p.m. for Opening Ceremonies; and,

   ii) Second Floor Lobby during the month of February for an exhibition of Chinese arts and crafts

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

The Chinese Cultural Asociation will be celebrating its Hamilton Sesquicentennial Birthday and will be holding its opening ceremonies in February 1996. The Arts and Crafts Exhibition will feature Chinese Arts and Crafts supplied courtesy of the Chinese Consul General.

cc: Mayor's Office
Secretary, Hamilton Sesquicentennial Celebrations Committee
Rob Swan, Manager, Building Operations and Maintenance Division
Information Desk

E. (iv)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Use of Second Floor Foyer
Hamilton Veterans Committee

RECOMMENDATION:

(a) That approval be given to the Hamilton Veterans Committee to use the Second Floor Foyer (east end), from 1995 November 1 to 14, for a photographic display; and,

(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Hamilton Veterans Committee is requesting the use of the second floor foyer in order to display photographs taken by Mr. David Blais depicting area veterans at various commemorative functions throughout the year.

cc: Mayor's Office
Rob Swan, Manager, Building Operations and Maintenance Division,
Crystabelle Fober, Secretary, Hamilton Veterans Committee
Information Desk

F.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1995 September 29th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Correspondence - Municipality of Annapolis County - Proposed Commemoration of Port Royal on the new $2 Coin - letter dated 1995 August 31st.

(b) Correspondence - Sandra Pupatello, MPP, Windosr-Sandwich - Provincial budget cuts - letter dated 1995 August 3rd

(c) Correspondence - FCM - Request for resolutions for consideration at the December 1995 meeting of FCM National Board of Directors - correspondence dated 1995 September 13th

(d) Correspondence - Mayor Betty Toporowski, City of New Westminster, B.C. re: FCM - Federal Government's review of marine policy - letter dated 1995 September 20th

Susan K. Reede

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A
BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

URBAN/MUNICIPAL
CA4 ON HBL A05
CSIF31
1995

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

URBAN MUNICIPAL

OCT 30 1995

GOVERNMENT DOCUMENTS

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 October 24th
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder.

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

1. **DELEGATIONS**

   (a) North End Childrens' Centre - use of property at 1314 Main Street East

   (b) John Sit, and Solicitor, Hanrahan's Tavern - Lap Dancing

2. **MAYOR ROBERT M. MORROW**

   Delegation - Hosting request - International Liszt Festival - 1996 October 24 - 27

3. **IN CAMERA AGENDA**

4. **CONSENT AGENDA**

5. **CORRESPONDENCE - REGIONAL COUNCIL**

   Request from Regional Council - Proposed Inclusion of the City of Hamilton to be a component of a Regional bid to accommodate a Provincial Casino.

6. **CHIEF ADMINISTRATIVE OFFICER**

The Learning Partnership

7. **TREASURER**

(a) Information Report - Realty and Business Tax Arrears and Collection Procedures

(b) Request for Proposal - Benefits

8. **GRANTS CO-ORDINATOR**

1996 Grant Applications and Processes (copy to follow)

9. **CITY CLERK**

Changes to Licensing Powers and Procedures

10. **DIRECTOR OF PROPERTY**

(a) Offer to Purchase - Sale of City Property - 11 Arthur Avenue South 1125948 Ontario Ltd. (Marino Rakovac)

(b) Central Utilities Cogeneration Project - Award of Engine Contract - Engine/Generator Supplier

(c) Central Utilities Cogeneration Project - Request for Additional Capital Funding and Plant Site Selection

11. **COMMISSIONER OF PUBLIC WORKS AND TRAFFIC**

1995 - 1998 Street Vendors Program

12. Appointment of second Aldermanic representative to serve on the Hamilton Status of Women Sub-Committee (no copy)

13. **OTHER BUSINESS**

14. **ADJOURNMENT**

FORWARDED TO SUSAN REEDER, SECRETARY, FINANCE & ADMINISTRATION COMMITTEE-Sept.1
FROM ALDERMAN BOB CHARTERS

North End Children's Centre Inc.

A Registered Charitable Organization
75 Hillyard Street, Hamilton, Ontario
L8L 6B3
Phone 521-0274

SEP 15 1995

1. (a.)

Alderman Bob Charters
Chairman,
Finance and Administration Committee

Sept. 15, 1995,

Dear Chairman,

On behalf of the North End Childrens Centre, we would like to approach your committee to consider the use of 1314 Main St. East for our Thrift Store program. In addition, we would like to incorporate the N.E.E.R.C project objectives to ensure that families who are under monetary stress, will get foremost assistance and our utmost attention.

To conclude, we would pay all utilities and retrofit the building to make it more aesthetically pleasing and enhance its visual features. As a result, this would only inflate the value of the property for sale, while making the area a more pleasant place to reside and do business.

We look forward to your reponse as soon as possible. Thank-you for your time and assistance.

Yours faithfully,

Gwynneth Hawes Cook

Gwynneth Hawes Cook

1. (b)

Hanrahan's Tavern

92 Barton Street East, Hamilton Ont.L8L 2V9
(905) 522-6395

Oct.18, 1995

To: Susan Reeder
Secretary to the Finance and Administration Committee

From: Hanrahan's Tavern (905) 522-6395

Re: Permission to attend and speak to the Committee
on Oct. 24, 1995 at 13:30 by Mr. John Sit and Soliciter

The points we would like to speak on try to clarify are as follows.

1) The wording **physical contact** should be changed to read **no sexual contact**. As this is written there can't even be a handshake between an entertainer and a customer, or she runs the risk of being charged and fined. This case has already been proven by the charges laid against an entertainer and the Club Fillmores in Toronto.

2) This bylaw was past on the issues of safety and health. However a Macmaster Doctor has already testifed in the appeal court that the chances of catching a sexually transmitted disease from Lap Dancing are minimal. As well we have never had any of our entertainers or customers talk to us about catching a STD.

3) On the safety aspect the Hamilton Police have never been to the club to investigate matters of sexual assault. If a customer touches a girl in an improper manner he is promptly asked to leave. During the day and night operations there is always a manager and doormen on duty.

4) We have never forced any entertainer to Lap Dance nor have we forced anyone to have a Lap Dance. We still employ Table Dancers as well as Lap Dancers.

We thank you in advance for your consideration and action in this matter.

Ralph Newsham
Hanrahan's Tavern
Night Manager
(905)522-6395

2.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 18

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mayor Robert M. Morrow

SUBJECT: International Liszt Festival
1996 October 24 to October 27

RECOMMENDATION:

(a) That the City of Hamilton provide a grant in the amount of $12,000. to the International Liszt Festival for the hosting of this event to be held in Hamilton from 1996 October 24 to October 27; and,

(b) That funds be provided from the 1996 Special Civic Receptions and Delegate Hostings Account No. CH 54314 84010.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As this is a 1996 event, this item should be funded from the 1996 provision of the above noted account.

BACKGROUND:

Professor Alan Walker, Festival Director for the International Liszt Festival has contacted my office requesting a grant in the amount of $12,000. from the City of Hamilton to assist in the hosting of this festival in Hamilton from 1996 October 24 to October 27.

Professor Walker would like to have this commitment from the City at this time because of the international scope of the festival and the arrangements required for the participants from countries such as Russia, Serbia, Italy, Hungary, Germany, England, the United States and Canada and also to allow for a firm agreement to include the Hamilton Philharmonic Orchestra in the festival program.

The Festival was held in Hamilton in 1994 and has taken place in recent years in San Francisco, Washington D.C., Boston and New York City. It is estimated that over five hundred foreign delegates will attend the four day festival and that $500,000. will be generated for the local economy.

Professor Walker has requested to appear as a delegation at the Finance and Administration Committee meeting on 1995 October 24 to speak to the Committee on this issue. A copy of his correspondence is attached hereto.

RMM/KCC/mjw

Attachment

c. Alderman B. Charters

J. G. Pavelka
Chief Administrative Officer

A. Ross
City Treasurer

McMASTER UNIVERSITY
Department of Music
1280 Main Street West, Hamilton, Ontario, Canada, L8S 4M2
Telephone: (905) 525-9140 Ext. 24445
Fax: (905) 527-6793

COPY

The Honourable Robert Morrow
City of Hamilton
71 Main Street W.
Hamilton, Ontario
L8N 3T4
12 September 1995

Dear Mayor Morrow:

International Liszt Festival
"Franz Liszt: a spiritual Odyssey"
Thursday, October 24 thru Sunday, October 27, 1996

You will recall that the American Liszt Society has decided tc return to Hamilton in order to mount another international music festival in October 1996. The Society was very impressed with the facilities the city and McMaster University offered it last October, and it determined to come back at an early opportunity. In recent years the Society has held its annual international gatherings in such places as San Francisco, Washington D.C., Boston, and New York. This will be the first time that it has returned to any North American city so swiftly, and I believe that this is the best compliment that could be paid to those of us who worked so hard to make the festival of '94 such a success.

Once more I have been invited to take on the role of Artistic Director, and I can tell you that the planning of the festival of October '96 is now well underway. More than forty-five performing artists and scholars from seven different countries have already committed themselves to join us for this festival. The delegates will come from Russia, Serbia, Italy, Hungary, Germany, England, America, and Canada. We have booked the Great Hall of Hamilton Place for a Piano Gala (in which fifteen pianists will play two volumes of Liszt's "Years of Pilgrimage"), as well as for a full orchestral concert by the Hamilton Philharmonic Orchestra, and we are also negotiating for the use of Christ's Church Cathedral and the Du Maurier Theatre for special concerts there as well. Naturally we will be mounting some of the smaller recitals, as well as the scholarly presentations, in McMaster's own Convocation Hall.

The Royal Connaught Hotel has been chosen as the convention hotel; two hundred rooms have been set aside for visiting guests. The main ballroom of the Connaught will be the location of the Historical Dinner, which is based on a menu prepared for Liszt by the Hungarian painter Mihály Munkácsy, in March 1886. We expect that about three hundred people will sit down to partake of this banquet. As the date of the festival approaches we will urge as many delegates as possible to fly direct to Mount Hope Airport.

While it is always difficult to project the financial benefits to the community, we expect them to be considerable. We estimate that the five hundred foreign delegates, together with the many Canadians who attended last year's festival from the Ottawa, Toronto, London and Windsor regions, will bring in revenues to Hamilton in excess of $500,000.00.

It is my wish as artistic director to involve two of our premier performing organizations in the festival - the Hamilton Philharmonic Orchestra and The John Laing Singers - and showcase them before an international audience in a major orchestral and choral concert in Hamilton Place. The main work in this concert will be Liszt's masterpiece "A Faust Symphony" which, as far as I can tell, has never been performed in this city, and very rarely in Canada as a whole. I believe that the festival in general, and this concert in particular, will form a fitting climax to the city's sesquicentennial celebrations which are set fair to dominate the municipal calendar next year.

In order to help us fulfil the high hopes we have for the festival I would like to apply for a special grant from the city in the amount of $12,000.00. A part of these funds would help us to defray the cost of the HPO concert, which will involve unusual expenses because of the enlarged orchestra of eighty players, extra rehearsals, and soloists. A little nearer the time, and in view of the importance of the occasion, I intend to approach the CBC with a view to broadcasting the concert on 'Arts National'.

It would be possible to provide you with many more details of this festival, but I will not burden you with them at the present time. I will content myself with sending you a copy of the Souvenir Programme of the festival of '94, together with copies of some of the press reviews. I remain ready and willing to meet with you and your committee at any time to discuss the matter further.

With sincere regards,

Alan Walker

ALAN WALKER, F.R.S.C.
Professor
Festival Director

c.c. Dennis Carson
Executive Assistant to the Mayor

5.

OFFICE OF THE REGIONAL CHAIRMAN

MEMORANDUM

REC. BY SKB DATE
REF'D. TO DATE
REF'D. TO DATE
REF'D. TO DATE
ACTION: FORWARD TO FIN & ADM COM.

TO: **AREA CLERKS**
Town of Ancaster
Town of Dundas
Town of Flamborough
Township of Glanbrook
City of Hamilton
City of Stoney Creek

FROM: Terry Cooke
Regional Chairman
PHONE: 546-4200

SUBJECT: **PROVINCIALLY RUN CASINO IN HAMILTON-WENTWORTH**
DATE: 1995 October 4

Subjoined, please find Item 9 of Report 9-95 of the Economic Development and Planning Committee which was approved by Regional Council at its meeting held on Tuesday, September 19, 1995.

9. Provincially Run Casino in Hamilton-Wentworth

a) That the Regional Chairman be authorized and directed to request that Hamilton-Wentworth be designated a site for Provincially operated casinos;

b) That staff be authorized and directed to solicit proposals from interested parties wishing to accommodate a Provincial casino;

c) That the Area Municipalities be canvassed to determine if they wish to be a component of a Regional Bid to accommodate a Provincial casino.

Would you please arrange to have this matter discussed at your Area Municipality and advise me as to the outcome of that decision.

Terry Cooke
Regional Chairman

cc - Joe Fardell, Economic Development & Planning Department

CITY OF HAMILTON

- RECOMMENDATION -

6.

DATE: 1995 October 17

REPORT TO: S.K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng
Chief Administrative Officer

SUBJECT: **The Learning Partnership**

RECOMMENDATION:

That the City of Hamilton participate in "The Learning Partnership" on Wednesday, November 8, 1995 by permitting its employees to have a Grade 9 student "job shadow" them throughout the day, wherever the job shadowing will not interfere with the employee's normal responsibilities.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There will be a cost to the corporation with respect to staff time where staff time will be involved in orientation and explanation to the students. There is no practical way of calculating the cost.

Concurrently, the majority of employees wanting to participate with the job shadowing project are employees who constantly give extra effort and energy consistently to the Corporation and the Community.

The City of Hamilton, in order to enhance the esprit de corps of its employees, is constantly looking for ways of recognizing our staff's continuing efforts and their daily commitment. Permission to permit those interested in job shadowing is one way of recognizing their effort and contribution.

Unfortunately, there will be some employees on the job site, particularly in construction or maintenance, where job shadowing will not be practical.

BACKGROUND:

"Take Our Kids To Work" is sponsored by The Learning Partnership, a not for profit organization of business people, educators and community leaders committed to creating challenging learning and career opportunities for young people. It is committed to showing them through direct experience, just how important skills, training and education are to their success. This year's sponsors are ScotiaMcLeod/Scotiabank, Nortel, Kraft Canada Inc., The Province of Ontario and Human Resource Development Canada.

"Take Our Kids To Work" was established last year as a pilot program in the Greater Toronto Area. all participating municipalities passed proclamations claiming the "Take Our Kids To Work" day. The program was so successful with business, industry, educators and families that it has now swept the Province.

Substantive curriculum material has been written for in-class projects and assignments to support the day and make the experience more meaningful for students. The day will be an integral part of the Grade 9 program and is supported by a majority of school boards across Ontario.

The Learning Partnership is asking the City of Hamilton and its employees to participate in this day and show the young people of your community how an average day unfolds at the City's workplace. In previous years other municipalities observed, "It was a day that was good for kids, good for employees and good for the City!"

And secondly, the City is being requested to declare November 08 as "Take Our Kids To Work". The dedication would reinforce your support for the day and serve to remind everybody in the community be they families, educators or business people that the meaning of the day is important and should be both honoured and observed.

JGP:dd

c.c. Mayor Robert M. Morrow
Mr. G. Cressy, President
The Learning Partnership
P.O. Box 79
1 Dundas Street West, Suite #504
Toronto, ON M5G 1Z3

7.(a)

CITY OF HAMILTON

- INFORMATION -

DATE: 1995 October 12

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Realty & Business Tax Arrears and Collection Procedures

BACKGROUND:

For the past 3 years, staff have submitted a comprehensive report to the Committee on the status of realty and business tax arrears as at June 30th of each year, provided an update on the City's current tax collection procedures, and made recommendations for improvements. It was noted in these previous reports that realty and business tax arrears were escalating and reaching historically high levels.

The purpose of this report is to advise the Committee on the status of business and realty tax arrears as at June 30, 1995, and to evaluate the effectiveness of our revised collection procedures and policies to date.

PART "A" - CURRENT STATUS OF REALTY AND BUSINESS TAX ARREARS

The following is a comparison of the overall status of realty and business tax arrears as at June 30th for the period 1991 to 1995 inclusive.

	1991	1992	1993	1994	1995
Realty Tax Arrears	$52.7M	$62.0M	$74.5M	$78.3M	$77.5M
% Increase		17.6%+	20.1%+	4.6%+	1.1%-
Business Tax Arrears	$ 7.0M	$ 8.7M	$ 11.2M	$11.0M	$10.2M
% Increase		25.4%+	28.0%+	2.1%-	6.8%-
Total Arrears	$59.7M	$70.7M	$85.7M	$89.3M	$87.7M
% Increase		18.5%+	21.1%+	3.8%+	1.8%-

You will note from this analysis that the rate of increase in both realty and business tax arrears has been reduced substantially in the past 2 years and outstanding business and realty tax arrears in 1995 are actually less than the previous year.

Exhibits "A" and "B"(attached) show an analysis of both realty and business tax arrears for the past 6 years as at June and December. You will note that the amount of arrears are historically higher in June of each year than at year end by a notable margin. In percentage terms, the highest annual rate of increase of both realty and business tax arrears was experienced from December, 1989 to December, 1990. As indicated on these graphs, the rate of increase in these arrears has been reduced substantially in the past 3 years. Total realty taxes outstanding in June of the current year are $ 1.2M less than at the same time in the previous year and total business tax arrears have been reduced by approximately $ 700,000.

Realty Tax Arrears

Our current analysis of realty tax arrears which are secured against the property indicates that, as in the past few years, the trend is continuing in which a small number of large accounts represent a large share of the total realty taxes outstanding and we are continuing to focus collection efforts towards these larger accounts. While the majority of the realty tax arrears represent current and 1 year prior taxes, the total amount of these arrears appear to be stabilizing whereas the amounts in the 2 and 3 year+ category are increasing which results in a need to place more emphasis on collections on properties which are or will be subject to tax registration procedures.

Exhibit "C" illustrates the aging of the realty tax arrears as at June and December for the past 6 years. You will note that prior to 1994, the majority of the increase occurs in the current and first two years arrears. This trend is now starting to shift into the 3 year category where there is a flow through of the prior years arrears into the area where these properties are subject to tax registration procedures. As indicated in this illustration, the realty tax arrears in this category increased from $5.9M in June, 1994 to $7.7M in June, 1995 which is an increase of $1.8M or 30.5% over this 1 year period. It should also be noted that this $1.8M represents only the portion of the taxes over 3 years in arrears on those properties subject to tax registration. The total arrears applicable to this category of properties amounts approximately $ 20M.

Exhibit "D" represents an analysis of the outstanding realty taxes as at August 31, 1995 (June, 1995 comparative figures in this format were not available). As indicated, there were 13,612 properties in the City of Hamilton with tax arrears. Approximately 11,700 were single owner residential properties owing $25.6M or 37.6% of the total realty tax arrears. The balance of 1,939 properties were multi residential, commercial, and industrial properties owing $42.6M or 62.4% of the total amount outstanding.

The upper portion of this exhibit shows the distribution of the arrears owing per property. There were approximately 12,800 properties with arrears of less than $10,000. owing a total of $25.3M or 37.6% of the total arrears. The remaining 845 properties owe arrears of $42.8M or 62% of the total outstanding. **In other words, 94% of the properties in arrears owed 37% of the total while 6% of the properties in arrears owed 63% of the total.** This trend is continuing from 1994 although these larger accounts are gradually being settled through the use of extension agreements and refinancing arrangements initiated through the tax registration process.

From January 1994 to January 1995 the number of properties subject to registration increased from 1,236 to 1,439 an increase of 203 properties or 16.4% from the prior year. As at June 30, 1995 as a result of ongoing payments and payment arrangements, 682 properties remained subject to the tax registration process. At the time of this report, 24 properties had been registered in 1995 for tax arrears under the provisions of the Municipal Tax Sales Act and it is anticipated that 190 properties will be registered by year end. During 1994, 187 properties were registered through this process and to date 98 of these have been paid in full. It is forecasted that tax arrears certificates could be registerable on the titles of over 200 properties in 1996 unless sufficient payment is received or acceptable payment arrangements are arrived at before the registration date.

Presently there are 22 properties which have not been redeemed within the one year period and are being reviewed to confirm proper procedures have been followed. The properties will be offered for sale for tax arrears by tender in accordance with the Municipal Tax Sales Act unless paid off in full. Since 1989, 24 properties have been sold for tax arrears. Of these, only 2 have been owner occupied properties. The remaining properties were vacant land or unoccupied buildings. The current collection procedures allow the property owner every opportunity to make payment over the three year period prior to registration and the Treasury Department is prepared to accept reasonable payment arrangements and register the property only as a last resort. After the property is registered, the taxpayer has the opportunity to enter into an extension agreement for payment of the arrears in instalments or redeem the property by making payment in full at any time prior to the sale.

Business Tax Arrears

In the case of business taxes, which are not secured against the property, in spite of increased collection efforts in this area, the business tax write-offs will probably continue to be at the same level as in the previous 2 years, and the present aggressive business tax collection procedures will be continued in an attempt to lower tax arrears in this area. The temporary reorganization of the supervisory staff in the taxation section has had a positive impact on collections in addition to improvements implemented in the billing process and monitoring of accounts. We are continuing with the proposed overall reorganization of staff in this area. We are also commencing the use of bailiffs to assist in the collection of

business taxes for a trial period of 3 months and will be evaluating that process and reporting the results to the Committee.

As indicated on the attached Exhibit "B", until 1994, business tax arrears were increasing at a rate not seen in recent history. Increased numbers of business closures, bankruptcies and a general economic sluggishness were contributing factors in this regard. Business tax write-offs were $750,000 in 1992, $1,100,000 in 1993 and $1,091,000. in 1994. It is anticipated that 1995 write offs will be approximately the same amount as the previous year. Hopefully this situation will improve in 1996 due to increased efforts in the collections area and economic improvements. As noted in previous reports to the Committee, for the purpose of collection of insolvent accounts, the City's status is that of an unsecured preferred creditor. Accordingly, the City's claim is satisfied after the Federal and Provincial Governments (Income Tax, Sales Tax, Worker's Compensation, etc.) any claims for wages owed employees and any secured creditors.

Included in the $10.2M business tax arrears as at June 30, 1995 is an amount of $1.6M in outstanding appeals under Section 442 of the Municipal Act which are outstanding with the Assessment Review Board. The majority of these accounts are out of business and have been overbilled for taxes in 1995. These adjustments will be made to the remission account and partially recovered from the Region and School Boards based on their percentage of levy (75% of amount is recoverable). The implementation of a revised procedure by the Province for dealing with the administration and the hearing of these appeals and the automation of the process within the Treasury Department has enhanced the processing of these documents.

PART "B" - EVALUATION OF REVISED COLLECTION POLICIES/PROCEDURES

The City's revised realty and business tax collection procedures are outlined on the attached Exhibits "E" and "F". Revisions which have been recommended to the Committee over the past two years have been incorporated into these procedures although some may not yet be fully implemented since we are still in the process of staff reorganization and making changes to internal processes and procedures within the Department. As indicated in previous reports, the present tax system, around which our collection procedures were designed, was implemented in the early 1960's and we are still in the process of implementing a new tax system.

We are continuing our efforts towards a more personal approach and communication with taxpayers who are in arrears in order to make a better assessment of their financial situation and determine the proper course of action.

Revisions to Collection Procedures Implemented to date

Realty Taxes

- Personalized letters from the Treasurer are being forwarded to all property owners with arrears in excess of $50,000. with encouraging results. In addition, personalized "final notices" are being sent to all taxpayers prior to the registration of the property which has generated a favourable response and resulted in an increase in payment arrangements.

- The introduction of extension agreements has offered staff and the taxpayers more flexibility in dealing with serious tax arrears problems and an alternative which suspends tax sale proceedings. Although it has encouraged payment arrangements and been favourably accepted by taxpayers, it has also increased staff administrative demands in this area. A user fee to assist in defraying these additional costs was implemented in 1995.

- The utilization of the Law Department in the title searches and registration of properties subject to tax registration procedures has assisted the Treasury Department in dealing with the numbers of properties subject to this process.

- A policy has also been approved by Council whereby the Treasurer, in handling the collection of realty tax arrears of abandoned industrial properties, is directed to consider the environmental conditions of such properties in selecting the appropriate method (court action, tax sale or distress) to recover such arrears in order that environmental cleanup obligations are not incurred by the City. This results in a "case by case" consideration of appropriate collection procedures for such accounts.

- A computerized listing of all properties with arrears in excess of 2 years is being forwarded to all major financial institutions in the City of Hamilton.

Business Taxes

- The Treasury Department has appointed, as part of the proposed reorganization, a collections clerk to deal with the demand for additional monitoring, tracking and maintenance of accounts in the system due to the number of out of business accounts, bankruptcies, appeals, etc.

- The revisions by the Province to the system of processing and hearing appeals to the Assessment Review Board and the implementation of a automated system in the Treasury Department has expedited the processing of adjustments and the subsequent follow up and collection of outstanding accounts.

- The policy approved by Council for extension agreements, which requires payment or payment arrangements for outstanding business taxes as a condition of the agreement, has provided a mechanism to assist staff in the collection of arrears which may have otherwise been difficult to collect.

- A procedure for in-house collection on large accounts including personalized correspondence and/or telephone contact by staff has been partially implemented.

- Improvements have also been made implemented in the process for handling postdated cheques and payment arrangements as a result of increased personal contact by staff with delinquent taxpayers.

- The Law Department has also provided resources to assist in pursuing the collection of outstanding business tax accounts through representation at Small Claims Court. A collection team comprised of Treasury and Law Department staff has also been instructed to review accounts, evaluate collectibility and recommend appropriate collection action.

- A system has been purchased from Creditel which will provide staff with up to date and complete credit reports on the status of companies with business tax arrears.

Recommended Revisions to collection procedures not implemented to date

The following is a summary of revisions to the collections procedures which have been approved and are still being evaluated and reviewed by the Treasury Department.

- Implementation of an additional notice from the Treasurer to property owners with arrears in excess of one years taxes. We are investigating the possibility of forwarding these notifications in January, 1996 in conjunction with the notices forwarded to taxpayers respecting properties which are three years in arrears subject to tax registration procedures.

- Develop a system to match the City's accounts payables against business tax arrears and withhold payment pending negotiated settlement of outstanding business taxes.

- Provide formal training for staff in collection techniques which will increase the effectiveness of in-house collections.

- Prepare an request for proposal for the collection of business taxes to be circulated to various collection agencies and bailiffs. Due to the ongoing review of in-house collection procedures and the proposed reorganization of staff within the taxation area, we have not fully finalized our requirements in this area.

- Utilize the services of bailiffs to make seizures, if necessary, where the collection agency is unable to enforce collection and the business continues to operate. Although we have not fully implemented this recommendation, the Treasury Department is entering into a 3 month pilot project with a local bailiff to assist in the collection of outstanding business taxes. At the end of that period we will be evaluating the results and making a report to the Committee. As advised previously, there are a number of businesses operating on an ongoing basis who refuse to pay business taxes despite the fact that the City has obtained a judgement through the Courts. It appears that the only means of collection available, in these circumstances, is to enforce judgements through the use of a Bailiff and/or the Sheriff's Office which would result in actions such as the seizure of assets/cash, garnishment of wages or bank accounts, etc.

PART "C" - LONG TERM SOLUTIONS AND PLANS FOR REORGANIZATION

As mentioned previously, the City of Hamilton is moving towards a new taxation system. The Treasury Department is also proceeding with renovations to the department and reviewing plans for a reorganization of the taxation and sundry revenue areas to accommodate improvements in revenue administration, arrears collections and customer service areas.

With the results of the special project effort on arrears, implementation of anticipated computerized enhancements and restructuring, it is projected that our long term objectives of more efficient tax collections and improved customer service will be achieved.

Conclusion

The rate of growth in the level of tax arrears has stabilized over the past 2 years and, in fact, arrears have decreased in the area of business and realty taxes as at June 30, 1995. The implementation of revised collection procedures along with the ongoing reorganization of staff in the collection area has had a positive impact on the level of arrears and has resulted in savings in the costs of agency collection fees. It is anticipated that further savings will be realized through the use of bailiffs to assist in the collection of delinquent accounts. A portion of these savings will be used to finance the pending reorganization of resources in the Treasury Department.

It is important that we continue to review our procedures on a regular basis and make recommendations which will further improve our effectiveness in the collection of these accounts, enhance customer service and decrease our overall costs.

Allan C. Lore

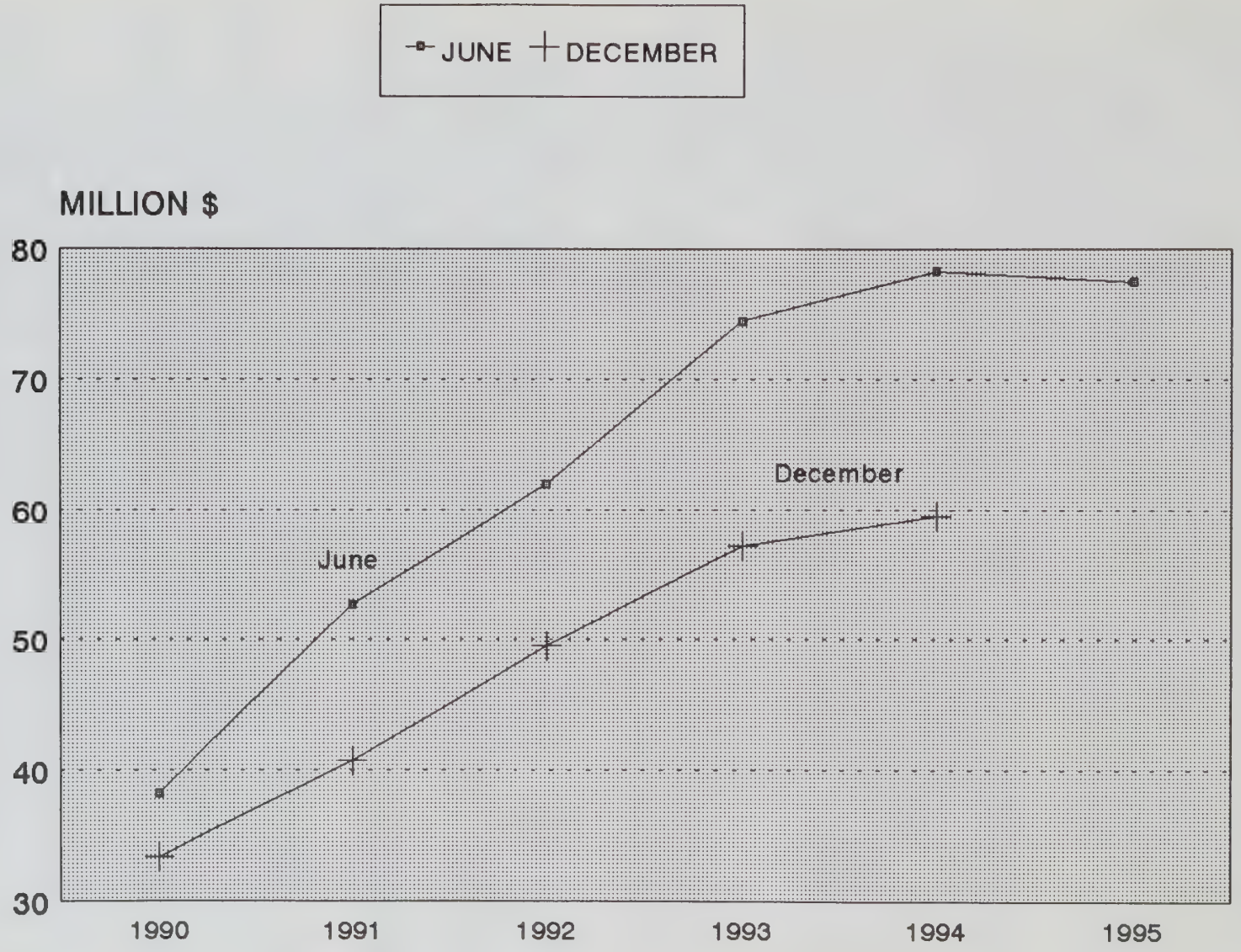
TWD:jc
Att's

c.c. J. G. Pavelka, P.Eng., Chief Administrative Officer
P. Noé Johnson, City Solicitor

Exhibit "A"

THE CORPORATION OF THE CITY OF HAMILTON

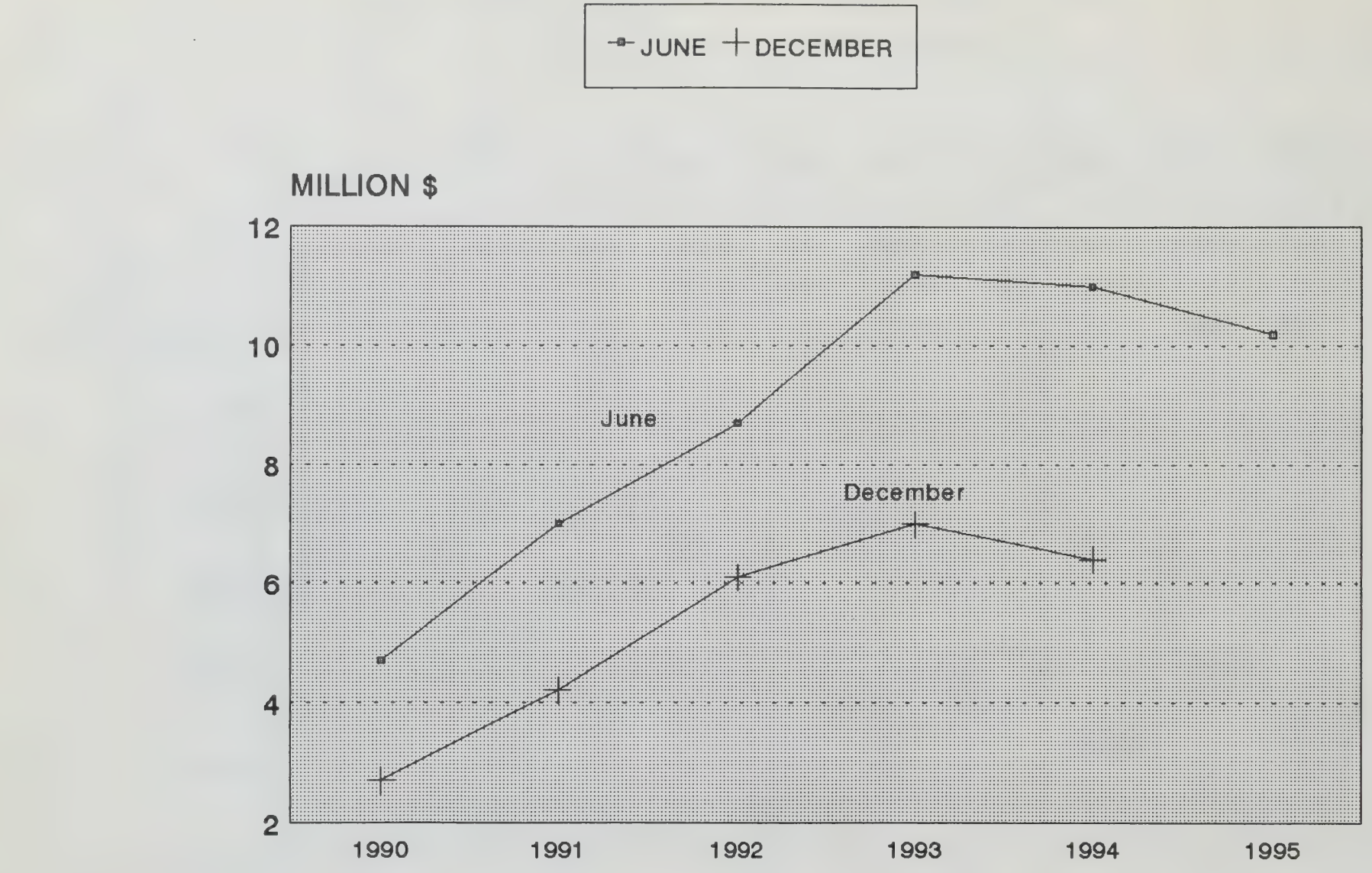
REALTY TAX ARREARS 1990 - 1995



JUNE	38.2	52.7	62	74.5	78.3	77.5
DECEMBER	33.4	40.7	49.5	57.2	59.5	
%INC. YR. OVER YR.	61.4	21.9	21.3	15.7	3.9	

THE CORPORATION OF THE CITY OF HAMILTON

BUSINESS TAX ARREARS 1990 - 1995

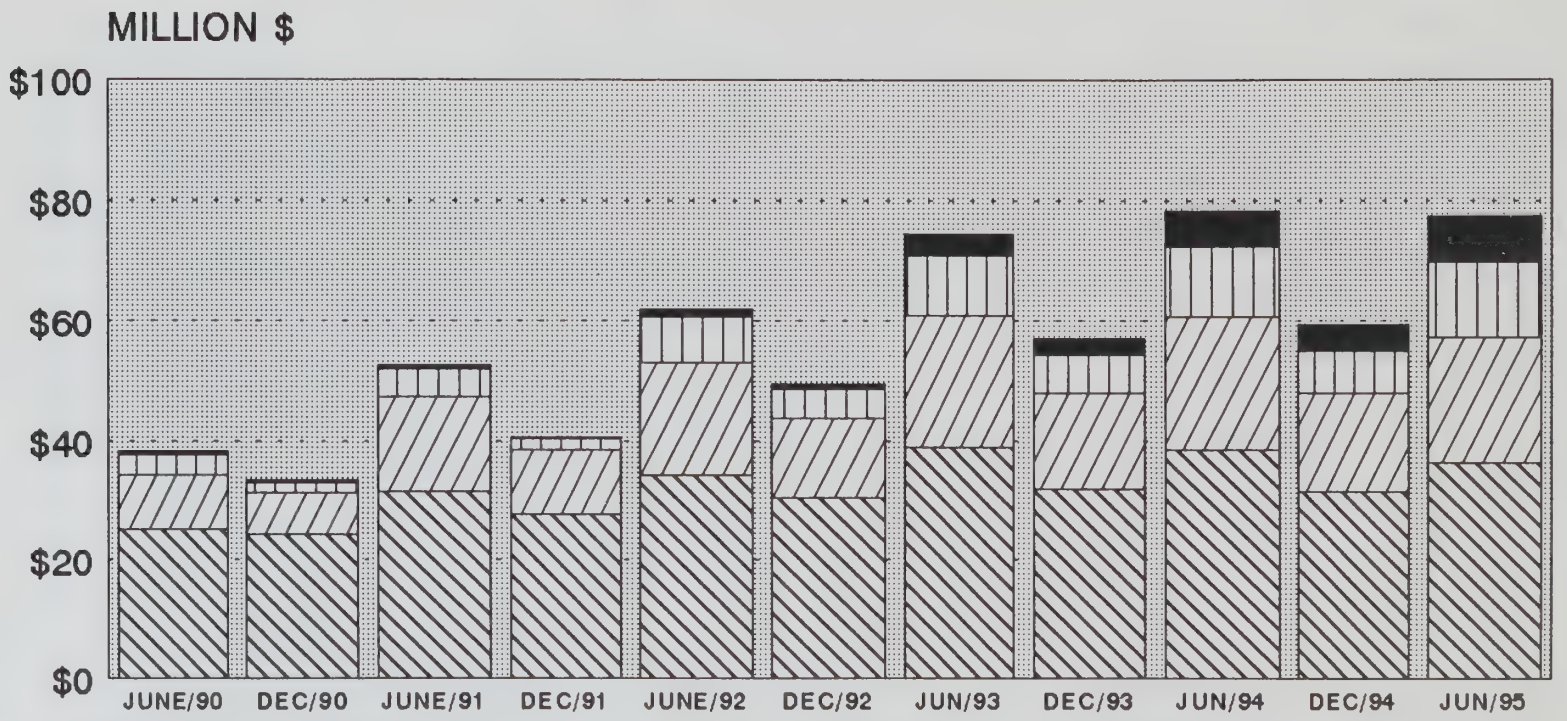


JUNE	4.7	7	8.7	11.2	11	10.2
DECEMBER	2.7	4.2	6.1	7	6.4	
%INC. YR. OVER YR.	92.9	55.6	45.2	14.7	-8.8	

Exhibit "C"

THE CORPORATION OF THE CITY OF HAMILTON

AGING STATUS OF REALTY TAX ARREARS



	JUNE/90	DEC/90	JUNE/91	DEC/91	JUNE/92	DEC/92	JUN/93	DEC/93	JUN/94	DEC/94	JUN/95
TOTAL AGING	$38.2	$33.4	$52.7	$40.7	$62	$49.5	$74.5	$57.2	$78.3	$59.5	$77.5
3 YEARS	$0.6	$0.4	$0.7	$0.4	$1.2	$0.8	$3.6	$2.8	$5.9	$4.5	$7.7
2 YEARS	$3.3	$1.8	$4.6	$1.9	$7.8	$5	$10	$6.4	$11.7	$6.9	$12.4
1 YEAR	$9.2	$7	$16	$10.8	$18.7	$13.3	$22	$16	$22.3	$16.7	$21.1
CURRENT	$25.1	$24.2	$31.4	$27.6	$34.3	$30.4	$38.9	$32	$38.4	$31.4	$36.3

AGING OF REALTY TAX ARREARS

CURRENT 1 YEAR 2 YEARS 3 YEARS

City of Hamilton
Treasury Department

Exhibit "D"

COMPOSITION OF REALTY TAX ARREARS
AS AT AUGUST 31, 1995

$ in Arrears	Number of Properties	% of Properties	Total $ Arrears	% of of Arrears
Range				
$0 - $10,000	12,767	93.8%	$25,354,668	36.4%
$10,000 - $20,000	462	3.4%	$6,187,357	8.4%
$20,000 - $50,000	237	1.7%	$7,507,532	11.9%
Over $50,000	146	1.1%	$29,130,265	43.3%
TOTALS	**13,612**	**100.0%**	**$68,179,822**	**100.0%**
Property Description				
Residential (Est) Single Detached, Condos, Townhouses, Link Homes, Semi-Detached, Vacant Land	11,673	85.8%	$25,603,527	37.6%
Multi-Residential, Commercial, Industrial (Est)	1,939	14.2%	$42,576,295	62.4%
TOTAL	**13,612**	**100.0%**	**$68,179,822**	**100.0%**

EXHIBIT "E"

CITY OF HAMILTON
TREASURY DEPARTMENT

REALTY TAX COLLECTION PROCEDURES

1. Realty tax instalment bills are forwarded to the owner or agent of each taxable property in the first weeks of February, March, May and September. The taxpayer has the option in February and May of paying two instalments at once thereby taking advantage of a prepayment discount offered by the City. Alternatively the instalment due dates are the last working days of February, March, June and September.

2. Throughout the year any arrears carried forward from previous current year instalments or outstanding balances from previous years are shown on the tax bill as arrears and included in the total amount due.

3. Personalized letters from the Treasurer or Tax Collector are forwarded in July of each year to all property owners with outstanding accounts in excess of $50,000.

4. A computerized listing of all properties with arrears in excess of two years is forwarded to all major financial institutions in the City of Hamilton.

5. In December of each year reminder notices are sent out to the assessed address and the most recent change of address shown on the City's tax records, for all amounts outstanding greater than or equal to $25.

*6. All accounts that will become two years in arrears in January of the following year are sent notices in November of the current year advising of the potential for tax registration procedures on the property.

7. All accounts that will become three years in arrears in January of the following year are sent notices in November of the current year with respect to pending tax registration procedures. The owners are advised to pay that portion of the tax that would become three years in arrears in January.

8. In January all of those properties that have become three years in arrears and have made no arrangement with the Tax department to remit payment on the account are again notified of the situation. At this point they are advised that the City will proceed to register the property for tax arrears, should no payment be made or arrangement agreed upon.

9. A final notice in the form of a personalized letter from the Treasurer or Tax Collector will be forwarded to the assessod owner prior to the registration of the tax arrears certificate.

10. Once the tax arrears certificate is registered on the property the owner(s) has one full year from date of registration to make payment on the taxes in full. During that year all interested parties as registered on the title of the property, the Sheriff's office and tenants according to the assessment roll are notified of the existing tax arrears certificate on the property.

11. After the one year redemption period expires the file is forwarded to our Law Department to ensure compliance with respect to notification as specified by the act. Once the Law Department verifies that the requirements of the act have been carried out they advise the Tax section to proceed with the sale of the property.

12. The property is sold and upon completion of the sale the tax arrears are paid from the proceeds and the balance is forwarded to the court. Any balance remaining after the court satisfies any other lien holders on the property can be recovered by the original owner after their application to the court.

*Recommended revisions to collection procedures not implemented to date.

1995 September 11
WGG:jc

EXHIBIT "F"

CITY OF HAMILTON
TREASURY DEPARTMENT

BUSINESS TAX COLLECTION PROCEDURES

1. During the first weeks of February and May of each year, business tax bills for the pre-levy and levy instalments are forwarded to each business tax account as they appear on the most recently returned assessment roll. These bills are due on the last working day of the month in which they are levied.

2. Staff will attempt to make personal contact by telephone with the business taxpayers having outstanding accounts in excess of $5,000. in an effort to collect these accounts or make satisfactory arrangements.

3. Fifteen days after the due date a "final notice" is forwarded to each business tax account that remains outstanding.

4. All accounts that are not paid, confirmed out of business, or have entered into an acceptable payment arrangement are forwarded to the collection agency on the "special program" in the first week of the month following the sending of the "final notice". During the next thirty day period each account on the program receives a notice from the collection agency and are contacted by phone.

5. After the April "special program" all accounts are returned from the collection agency to the City. The outstanding balances are folded into the May levy billing, and appear as arrears on those bills.

6. Following the July "special program", a reconciliation of accounts collected and outstanding is computed and the outstanding accounts are redirected to the collection agency for regular collection. At this juncture the collection agency works the accounts until:

   a) They are collected.

   b) It is confirmed that the business has ceased operation at this address, thereby requiring a tax appeal.

   c) The agency recommends legal action and requested permission to proceed with same.

   d) Alternate payment arrangements (e.g. post-dated cheque) are agreed.

   e) The agency recommends the account be written off as uncollectible.

7. As accounts are processed through the tax or assessment appeal systems, credits are applied to the accounts in accordance with the direction of the respective authoritative bodies.

*8. Utilize the services of bailiffs to make seizures, if necessary, where the collection agency is unable to enforce collection and the business continues to operate.

9. As they are approved by City Council credits are applied to the accounts for recommended write offs.

*Recommended revisions to collection procedures not implemented to date. Being implemented on trial basis only at the present time.

1995 October 12
TWD:jc

7. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 16

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Request for Proposal - Benefits

RECOMMENDATION:

a) That the City enter into agreements with:

   i) Metropolitan Life for the provision of Basic Group Life, Optional Life, Dependent Life and Long Term Disability Benefits effective December 1, 1995.

   ii) CIGNA Canada for the provision of Accidental Death and Dismemberment Benefits effective December 1, 1995.

   iii) Liberty Health for the provision of Hospital Health and Dental Benefits effective December 1, 1995.

b) That the City Treasurer be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The current funding method is to be continued for Basic Life and Optional Life coverages, which is large amount pooling of claims in excess of $200,000 plus aggregate pooling of claims in excess of 115% of annual premiums. Savings of approximately $20,000 to the administration costs will be realized in part as a result of the Group Life Plan being underwritten in conjunction with the Life Coverages for the Region. Savings of $13,000.00 per annum will be realized for the Accidental Death and Dismemberment Benefits coverage.

The current funding method of Administrative Services only is to be continued and individual pooling of $10,000 per certificate will remain the same for the Hospital, Health and Dental benefits. Reduced administration and pooling charges will result in savings of $77,000 per annum.

The Long Term Disability Benefits are to continue on an Administrative Services Only basis. Aggregate stoploss pooling at $600,000 per year to remain in effect which provides insurance protection against any large losses in any one year. Reduced administration and pooling charges will result in savings of approximately $20,000 per year. The rates are guaranteed for a three year term.

BACKGROUND:

Staff last reported to Committee on this issue at the first Finance and Administration meeting of 1995. At that time, participation in a joint proposal call from the City and Region for the various benefit packages was approved.

DISCUSSION:

PROCESS

A joint request for proposals for City an Region benefits was prepared by City and Regional staff in conjunction with our benefits consultants, Watson Wyatt. The request for proposals closed on May 15, 1995.

In response to the joint proposal call ten carriers submitted proposals. All proposals were reviewed by Treasury department staff and the external consultants based on multiple criteria including:

a) compliance to underwrite the benefits as described in the proposal call
b) competitiveness of the proposed rates and administration costs
c) ability to provide efficient and effective service to our employees and staff
d) the ability of the carriers system not only to meet today needs but also the needs of tomorrow
e) ability to provide recommendations regarding cost containment issues
f) financial stability of the carrier
g) references from current and past carriers
h) changes in volume of the carriers business over the past eighteen months and over the last five to ten years
i) local presence.

One of the goals of the process was to engage carriers who would not only give excellent service to the City's employees but would be able to work with the City to contain costs through managed health care and employee education.

The various proposals were evaluated against the above criteria and a short list of carriers was selected, who were then interviewed by staff and Watson Wyatt, in arriving at a recommendation.

ANALYSIS

The results of the analysis, by type of benefit coverage, are as follows:

Long Term Disability

After consideration of all factors, Metropolitan Life was chosen to continue as the City's provider for Long Term Disability Benefits. Metropolitan's proposal was the second lowest (by $6,000) of those submitted, based on costing for 59 existing claims and 18 proposed new claims.

Long Term Disability benefits are the most complex of our benefits on a per claim basis. Continuity with respect to payment of claims, rehabilitation and adjudication therefore is extremely important to both the employee and the City.

Reserves are held by Metropolitan Life on behalf of the City for claims prior to July 1,1993, the implementation date of Provincial Sales Tax on Insurance premiums. The funds for these reserves are retained by Metropolitan and the City receives competitive investment interest returns on those funds. As a result of claims prior to July 1993 being paid from reserves held at Metropolitan, the City has saved approximately $72,000 in Provincial Sales Tax. If another carrier were selected, the investments would have to be cancelled prior to their maturity date and would result in a loss of interest thereby, negating the small savings by transferring.

The City has been on an Administrative Services Only (ASO) basis with Metropolitan for ten years. By Administrative Services Only, it is meant that the City basically self-insures for the costs of the benefit, with the carrier providing administrative services only and not bearing any financial risk for the benefit. The success of this approach is demonstrated through the ability to create reserves while maintaining reasonable charges for providing Long Term Disability benefits to employees.

The Region has also selected Metropolitan Life after extensive review and consideration of Metropolitan's Rehabilitation programs and proven commitment to working with staff to facilitate early intervention to enable employees to return to work as early as possible.

Metropolitan has provided a three year rate guarantee.

Group Life, Optional Life and Dependent Life

The existing carrier for these benefits is Canada Life. Canada Life's quote was the third lowest received. Metropolitan Life's quote for providing Basic Life, Optional Life and Dependent Life was the second lowest received. The difference between the second lowest and lowest proposals was $1,500 and was not sufficient to make the cost the key factor in determining the provider. Metropolitan Life is being recommended as the carrier in order to take advantage of:

a) modest savings to the administration costs of Group Life when underwritten in conjunction with the Life coverage for the Region

b) consistency in adjudicating the definition of disability under the disability (LTD) plan and the waiver of premium provisions of the Life Insurance Plan which provides for easier administration of these coverages

c) a three (3) year rate guarantee, and

d) the City's satisfaction over the last ten years with the management of the LTD plan.

Accidental Death and Dismemberment

CIGNA is the lowest bidder for this coverage and is recommended as the carrier to provide the Accidental Death and Dismemberment coverage currently underwritten by UNUM Canada and American Home. Cost savings of $13,000 per annum will be realized. This benefit is to continue to be funded on a fully pooled basis, which means that the City pays a premium, and does not self-insure for this benefit.

Hospital, Medical and Dental

Liberty Health, the current carrier, provided the lowest quotation for Hospital, Medical and Dental Benefits. Our ten years of experience with this carrier supports our recommendation that they continue to provide this coverage. They are doing extensive system up grades to allow for future needs and flexibility and are emphasizing Managed Health Care . We recommend that the current funding arrangements (Administration services Only) and individual pooling of $10,000 per certificate remain the same. Reduced administration and pooling charges proposed by Liberty Health will result in savings of $77,000 per annum, versus present rates.

CONCLUSION:

All carriers recommended yield savings to the City from present rates. Estimated savings are $130,000 per year, while all coverages are maintained as per present practices. All recommended carriers are consistent with those approved by the Region of Hamilton-Wentworth.

cc. John Johnston
Commissioner of Human Resources

SUMMARY OF PROPOSALS

BENEFIT	CARRIER	PROJECTED 1995 COSTS	PROPOSED ANNUAL COSTS	SAVINGS	GUARANTEE PERIOD
Hospital, Health and Dental	Liberty Health	$3,869,600	$3,792,000	$77,600	2 years
Group Life	Metroploitan Life	$447,340	$427,863	$19,477	3 years
Long Term Disability	Metropolitan Life	$667,124	$647,450	$19,674	3 years
Accidental Death and Dismemberment	CIGNA	$49,074	$35,798	$13,276	2 years
Total		$5,033,138	$4,903,111	$130,027	

9.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 16

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **Changes to Licensing Powers and Procedures**

RECOMMENDATION:

Pursuant to the Municipal and Liquor Licensing Statute Law Amendment Act, 1994:

(a) that a 5-member Licensing Committee composed of 3 elected officials and 2 citizen representatives be maintained,

(b) that application be made to the Province of Ontario to revise the Special Legislation of the Licensing Committee so that the Committee may hold hearings on behalf of City Council, as opposed to its current role of issuing licences and holding hearings, and

(c) that, subject to the special legislation being obtained, the City Clerk be authorized to issue licences which meet the criteria set out and approved by City Council, and

(d) that Licence Code 93-069 and Second Level Lodging Home By-law 80-259 be amended to:

  (i) provide for an increase in the maximum fines to $25,000. for individuals and to $50,000. for corporations; and

  (ii) that the City Treasurer be authorized to act under the new Distress Powers of the newly enacted legislation to effect payment of any fines, if and when the need arises, and

(e) That the City Solicitor be authorized and directed to prepare the by-law amendments.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Delegating the issuance of licences to the City Clerk will improve efficiencies, reduce staff costs, or keep them to a minimum.
The cost for applying to the Province for Special Legislation is approximately $1,000. plus disbursements.

BACKGROUND:

The Municipal and Liquor Licensing Statute Law Amendment Act, 1994 became law on December 9, 1994. The new Act repeals and replaces various sections of the Municipal Act. The amendments raise the following matters which will require Council action:

(a) changes to the way licences are issued, approved and denied, both in the powers of Council to make licence decisions and to the process for making these decisions.

(b) a new appeal right for applicants and licensees, which makes it easier to have a Court review licence decisions,

(c) availability of higher licensing fines,

(d) availability of closure orders for licensing infractions,

(e) availability of distress to collect licensing fines.

Fines

In Recommendation 3(a), we are requesting that the Licensing By-laws be amended in keeping with the higher fines now permitted by the Act.

Closure Orders

A Closure Order is a new power which is available to the City and concerns businesses which carry on without a licence, or for other licence infractions arising from the use of licensed premises. A Closure Order is an order made by the court which requires that the premises be closed to any use for up to two years. The Court may issue a Closure Order upon conviction, however, according to the Law Department, would not likely be made for a first offence.

Distress Powers

This is another way for the City to collect licence fines, providing for direct seizure of a convicted persons property. Use of distress can be an effective way to collect outstanding

fines. While collection of fines has not been a problem in the past, Recommendation 3 (b) would authorize the City Treasurer to act under the new section, if the need arises. Distress is discretionary and can be decided on a case by case basis.

Right of Appeal

Should there be an appeal of a decision made by City Council, the new Act provides for the Divisional Court, which is a 3-judge panel, to hold a hearing to decide whether Council was right or wrong. Previously, an appeal to court by a licence holder, or applicant, was limited to showing an unfair hearing and for other narrow issues, rarely allowing a court to question Council's decision. Now every decision by Council is open for review, based on the Court's interpretation of City by-laws. The Court can issue a license, rescind a suspension, and remove or vary conditions of a licence. Court costs generally go to the successful party and costs may be substantial.

New Licence Powers and Procedures

City Council has new powers over licensing which do not automatically apply to the Licensing Committee. Members of the Committee will recall that the Licensing Committee has it's powers fixed in special legislation. In comparing the powers in the new Act, there are several differences between what Council and the Licensing Committee may do. The main omission is the power to attach conditions to the issuance of a licence, but there are other differences that need to be reconciled. Application to the Province to replace the wording in the special legislation, which delegates hearings (to the Licensing Committee) on licences, is one option. Also implied by this change would be the change in authorizing the City Clerk to issue licences which in the normal municipality may be delegated to staff in the by-laws. Because the special legislation, which the City obtained in 1978, only gives authority to the Committee to issue licences, staff are, at this time, unable to issue licences which comply with all by-law regulations without firstly requiring Licensing Committee approval. This requirement causes delays in the issuance of licences and is a cumbersome process administratively.

In addition, there is a great need to revise the Licence By-laws as many of the schedules are out of date. Staff are in the process of reviewing all the by-laws and once we have documented our new procedures, the new regulations will say what would trigger a hearing (i.e. a licence applicant with a serious driving or criminal record) and when staff is to issue a licence.

While staff have been aware that changes to the special legislation which set up the Licensing Committee are necessary, the passage of the new Act requires that action now be taken on how the City wishes to operate the licensing function. The Licensing Committee membership can be made up as follows:

(1) Maintain the Licensing Committee with it's current membership, i.e. Elected Officials and Citizen Members. This would require new special legislation, because this option includes delegating decisions to citizen members. The new special legislation would be brief and would refer to the power of the Committee to hold a hearing on behalf of Council. It will take time to bring the legislation into force.

(2) Require City Council to appoint a License Committee composed of Council members only, to hold individual licence hearings as permitted under the new section of the Municipal Act. The current Committee would be dissolved by by-law, and a request made to the Province to repeal the special legislation. No special legislation is required in this option. A by-law would be necessary which would include the changes to give staff the authority to issue licences administratively and to deal with the establishment of the Council Committee.

(3) Require the full Council to hold licence hearings without a committee. The special legislation would be repealed in this case as well, as it is unnecessary. This option, staff believe, would be impractical because the entire Council would be involved in monthly and often lengthy Licence Committee hearings.

The new Licensing Committee will be responsible for the holding of hearings in connection with applications, suspensions and revocations of licences. Unlike the current committee which is required by the legislation to approve all licences, even if they comply with all by-laws, a new licence committee would only be responsible for the holding of hearings, where qualifications under the By-laws in dispute.

Having citizen members on the Licensing Committee has advantages such as the experience and expertise of these individuals in making decisions on whether or not to grant a licence. This is of particular importance when dealing with the character issue of licence applicants.

Staff have consulted with members of the current Licensing Committee and have concluded that the present 5-member Committee is working well. While the City would continue to have some additional costs in holding evening meetings due to staffing requirements, it is felt that these minimal costs are justified when taking into account the importance of the Licensing Committee function.

The full Council will still be required to confirm decisions of the Licensing Committee, where the recommendation is to suspend, deny or revoke licences, or to attach conditions.

c.c. P. Noe Johnston, City Solicitor
A. Ross, City Treasurer

CITY OF HAMILTON

- RECOMMENDATION -

OCT 10.(a.)

DATE: 1995 October 13

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Offer to Purchase- Sale of City Property
11 Arthur Avenue South
1125948 Ontario Ltd. (Marino Rakovac)

RECOMMENDATION:

(a) That an Offer to Purchase Agreement, to be executed by 1125948 Ontario Ltd. (Marino Rakovac) and scheduled to close on or before 1996 February 15, for the purchase of a vacant parcel of land known as the northerly 27 feet throughout from front to rear of Lot 15 on the east side of Arthur Avenue South in Colin Arthur's Survey, Plan 165 of the Subdivision of part of Lot 10 in the Second Concession of the Township of Barton, in the County of Wentworth, made by J.W. Tyrrell, P.L.S., having a municipal address of 11 Arthur Avenue South, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Estate Procedural By-Law enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $18,000. be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and

(b) That the required deposit cheque in the amount of $1,800. be held by the City Treasurer pending Council approval; and

(c) That this Offer to Purchase be subject to the following conditions:

(i) The Vendor makes no representation, warranty, condition either express or implied as to soil or other environmental conditions, utilities, fitness for purpose of zoning and building by-laws, park, road widening or other possible dedications,or as to charges, levies and regulation of the City, the Regional Municipality, Utilities or other regulatory authorities. The Purchaser shall inspect the property and shall satisfy himself in respect of such matters prior to submitting this Offer;

(ii) The Purchaser acknowledges and agrees that there are no warranties and/or representations by the Vendor and that the Property is being purchased on an "as is" basis except as specifically herein provided. The Purchaser further acknowledges that the Vendor is making no representation or warranties whatsoever with respect to the Property. The Purchaser acknowledges that it has relied entirely upon its own inspection and investigation with respect to quantity and value or the property;

(iii) The Purchaser acknowledges that it has inspected the property and has conducted an independent investigation of present and past uses of the property; and that the Purchaser has not relied on any representations by the Vendor concerning any condition of the property, environment or otherwise;

(iv) The Purchaser acknowledges that the subject property is zoned "G-3";

(v) The Purchaser acknowledges that present access to the property is from an unassumed City alley adjacent to the north. The City reserves the right pursuant to the Municipal Act to close said alley. The Purchaser agrees that he may be required to make application of the City at his expense for a driveway approach from Arthur Avenue South;

(vi) The Purchaser acknowledges that no survey or reference plan exists for the subject property. Should the Purchaser require a survey or reference plan, he will be required to produce same at his cost and expense.

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(e) That in accordance with Real Property Sales Procedural By-Law No. 95-049:

(i) satisfactory notice has been given to the public of the intended sale;

(ii) an appraisal of the market value of the property intended to be sold was obtained on June 5, 1995; and received on October 24, 1995;

(iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in a form prescribed pursuant to Section 193 of the Municipal Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The amount of $18,000. be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases).

BACKGROUND:

At its meeting on 1995 September 19, the Finance and Administration Committee requested the Director of Property to sell the subject property by tender. The Notice of "Property to be sold by Tender" was advertised in the Hamilton Spectator on September 26 and 28 and October 3 and 5, 1995. Tender packages were delivered to all interested parties on file. By the tender opening 1995 October 10 at 11:00 a.m., no tenders had been received. The Property Department subsequently approached Mr. M. Rakovac, who had previously submitted an offer on the property, and he agreed to purchase the Arthur Street property at the appraised value.

On 1995 September 26, City Council approved item 10(b) of the 22nd Report of the Finance and Administration Committee recommending that the proceeds to be derived from the sale of 11 Arthur Avenue South be set aside for Hamilton Habitat for Humanity for the sole purpose of assisting the organization to purchase a lot upon which to erect a residential building.

In compliance with the Real Property Procedural By-Law 95-049, please be advised:

(a) on 1995 July 11, City Council approved Item 20(a) of the 18th Report of the Finance and Administration Committee declaring the subject lands surplus to the requirements of the City;

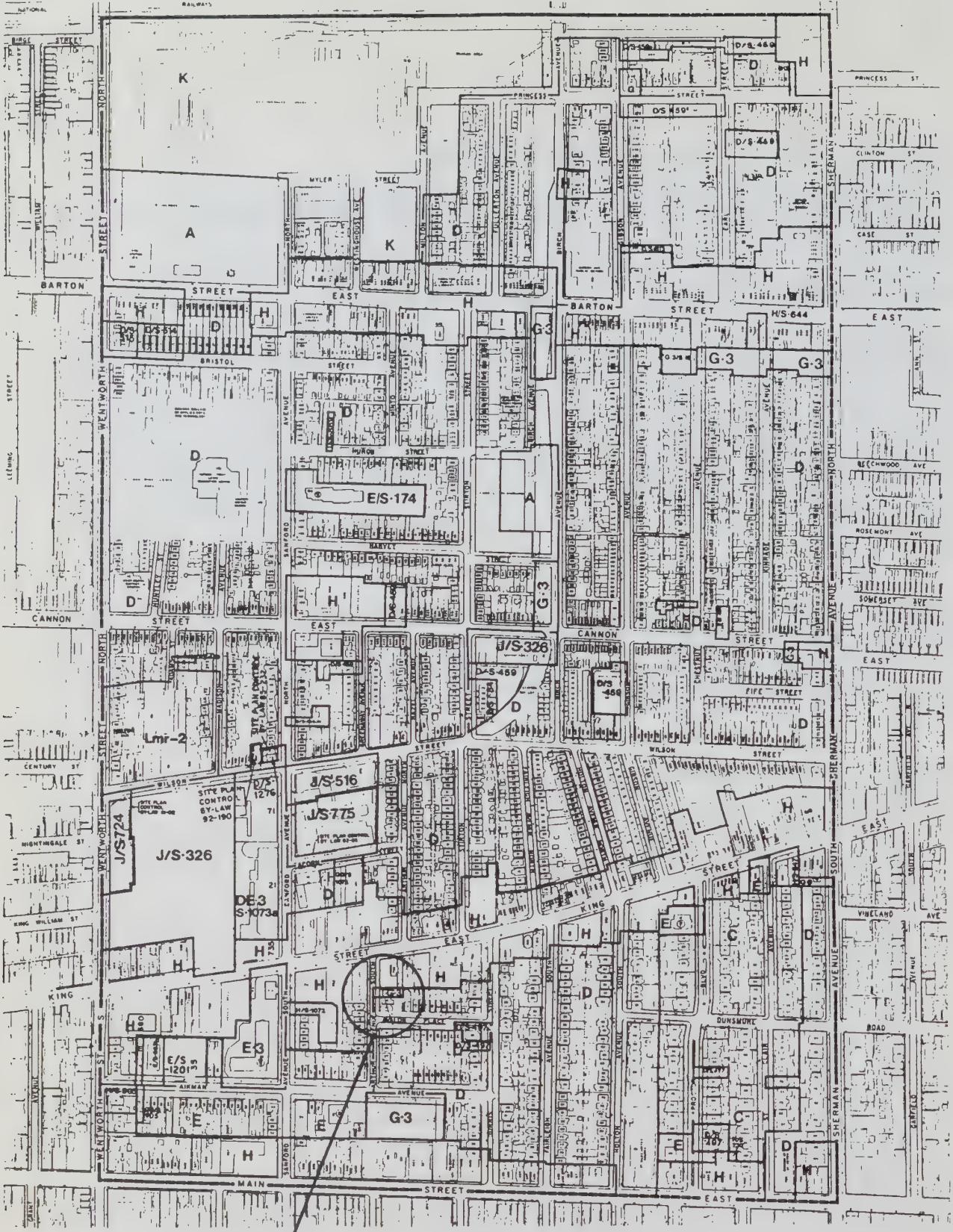
(b) that in accordance with the approved methods of Notice to the Public in Real Property Sales Procedural By-law 95-049, the Director of Property advertised the property for sale by both a sign on the property and by tender in the Hamilton Spectator on September 26 and 28, 1995 and October 3 and 5, 1995 to inform the public of the 1995 October 10 tender closing.

(c) the sale of the subject land falls within the range of value which has been determined through an appraisal of the subject's fair market value.

Based on the foregoing matters in compliance with the Real Property Sales Procedural By-law, it is recommended above that the City's sale to the Purchaser be confirmed.

REL/hew

c.c. Alderman Bernie Morelli, Alderman, Ward 3, Aldermen's Office
Alderman D. Drury, Alderman, Ward 3, Aldermen's Office
Joe Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor, Law Department
Allan C. Ross, Treasurer, Treasury Department
C. Bandurka, Property Clerk, Surveys, Roads Department



Subject Property

69 70 71
95 48 126
125 124 12

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department

CITY OF HAMILTON

GIBSON

ZONING

Neighbourhood Boundary
Zoning Boundary

0 50m 100m
SCALE

Prepared for The City of Hamilton
by the Planning and Development Department
of The Regional Municipality of Hamilton-Wentworth

PLANNING UNIT NO 6607

PAGE NO 48

CITY OF HAMILTON

- RECOMMENDATION -

10.(b.)

DATE: 1995 October 20

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Award of Contract - Engine/Generator Supplier
Central Utilities Cogeneration Project

RECOMMENDATION:

(a) (i) That authorization be given to establish a purchase order in the amount of $3,649,427. inclusive of G.S.T. ($223,886.) for accounting purposes, only becoming effective upon execution of a formal Agreement, prepared by the City Solicitor, between the City and Toromont/Caterpillar of Concord, Ontario for the supply, installation and commissioning of two 3612 engine-generator sets with a nominal output of 2,100 kilowatts for the Central Utilities Cogeneration Plant, this being the lowest of three proposals received in accordance with the specifications issued by the Purchasing Division, Ref:C14-4-95; and,

(ii) That the Mayor and City Clerk be authorized and directed to execute the said Agreement on behalf of the City; and,

(iii) That the Agreement specify the various stages of engine construction completion at which particular amounts of the total money amount in (a) will be payable, as per a Schedule of payment to be agreed by the City and Toromont/Caterpillar; and,

(iv) That the Agreement specify a cancellation clause, to be agreed by the City and Toromont/Caterpillar, to mitigate the financial risk to the City in the event the project is delayed or cancelled by either the City or Toromont/Caterpillar; and,

(v) That the Agreement include an extended 15 year maintenance contract to be negotiated beween the City of Hamilton and Toromont/Caterpillar for an annualized amount to be funded from the current budget beginning in the year that the Cogeneration Plant is operating.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This amount to be funded from Capital Funds Account No. CF809453006 5450 - C.U.P. Tri-Generation-M1610105. The approved Capital Budget is $7,728,500. It is being proposed to the Finance & Administration Committee that an additional $1,305,775 required to proceed with this project be financed from the 1996 - 2005 Capital Budget.

Staff's review of the tenders have confirmed that Toromont/Caterpillar has offered the City a cost competitive 5 year maintenance contract as part of their base bid proposal. With this 5 year maintenance contract as a negotiating point, it was desirable for the City to negotiate an extension to the contract beyond the 5 years up to 15 years. The annualized amount for this extended maintenance contract will be funded from the current budget. These costs have been accounted for in the economic analysis.

BACKGROUND:

In February of this year, City Council approved of Item 16 of the SIXTH Report from the Finance & Administration Committee recommending that a purchase order be issued to Marsh Energy Inc. of Burlington, Ontario to commission them as the City's Prime Consultant for the design, engineering and project management of the Central Utilities Cogeneration Plant.

The City received approval for partial funding ($4,043,000.) of this project in September 1994 as part of the Canada/Ontario Infrastructure Works Program. The balance is funded in the approved 1994 - 2003 Capital Budget ($2,021,500), 1995 - 2004 Capital Budget ($1,663,411.) and an additional $1,428,005 proposed for the 1996 - 2005 Capital Budget.

Since February of this year, Marsh Energy and City staff have been developing the specifications for the purpose of tendering the engine-generator sets and auxiliaries. This being the single largest component of the overall project and in lieu of the lengthy delivery time, it was determined that pre-tendering the engine-generator sets including the installation would ensure that the timetable resulting from the Infrastructure Guidelines could be met and that energy savings could be realized to the City at the earliest possible date.

In response to the Request For Tender issued by the Purchasing Division, March 15, 1995,

In response to the Request For Tender issued by the Purchasing Division, March 15, 1995, Ref: C14-4-95 and in accordance with the specifications therein, there were three tenders received for the supply and installation of two identical engine-generator sets and auxiliaries for the Central Utilities Cogeneration Plant to produce a nominal 3.8 MW of electrical power. The tender prepared by U.S.Turbine Corporation was unacknowledged and not accepted because they were late in submitting. The three acceptable tenders were received from reputable manufacturers, each with experience in the field of cogeneration utilizing spark ignited natural gas engines. They were:

COMPANY	BASE BID
Toromont/Caterpillar	$3,649,427.
Wartsila Diesel Canada Inc.	$4,855,300.
Pamco-Atlas Limited	$5,419,550.
GEC Alsthom	Disqualified - did not acknowledge all addenda.

Upon receipt of the three accepted tenders, the City's Consultant, Marsh Energy Inc. of Burlington, Ontario began an exhaustive evaluation of the technical and economic data submitted by each of the suppliers.

The evaluation effort took into consideration the initial installed capital cost, as well as long term (20 year) costs in order to determine the most cost effective proposal over the design life of the plant. Other major considerations included the fuel efficiency, predicted maintenance costs, net present cost of operation over the life of the plant and consumables such as lube oil and filters.

As required by the terms of the Federal/Provincial/Municipal Infrastructure Agreement, each proposal was subjected to the Canadian Content Preference Policy. As there are no Canadian manufacturers of this type of equipment, the application of this policy did not change the outcome of Marsh's analysis.

The criteria used in the evaluation of each submission included:

- Economics which included -
  - Capital Cost
  - Efficiency of Engines
  - Load Factor
  - Life Cycle Cost

- Air Emissions and Noise Levels
- Available Power
  - Electrical
  - Thermal
- Mechanical/Electrical
  - Quality
  - Reliability
  - Suitability
- Controls
- Maintenance & Emergency Service
- Reference Survey

In addition to the above, each of the proponents' Engineering teams and organizations were assessed on previous applicable experience.

Due to the differences in each manufacturers' design and electrical capacities it was necessary that the evaluation consider the amount of usable electrical and thermal energy produced by the equipment of each supplier by performing a Load Factor Analysis. This analysis would accurately calculate the potential savings generated by each of the proposals.

On completion of the comprehensive analysis of the suppliers data, Marsh Energy Inc. have concluded that the proposal submitted by Toromont/Caterpillar would provide the City with a quality cost saving installation over the design life of the plant with a high degree of reliability. Furthermore, the proposal submitted by Toromont/Caterpillar was within the original estimated budget for this portion of the overall project. Based on their conclusions, Marsh has recommended to the City to accept the proposal for a 4.2 MW plant as submitted by Toromont/Caterpillar.

Attached hereto is a table which summarizes Marsh's technical and economic evaluation of the proposals received in response to the Request for Tenders.

DWV/rd

attch.

cc. J.G. Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor
A. Ross, City Treasurer
J. Krochak, Senior Buyer, Purchasing Division
P. Hooker, Senior Solicitor, Law Department
R. Desnoyers, Assistant Manager, Building Operations & Maintenance.
N. Adhya, Manager of Budgets, Treasury Department

TABLE 5	DESCRIPTION:	PROPOSALS EVALUATION
DATE : MAY '95	PROJECT:	CITY OF HAMILTON

VENDOR	WARTSILA	WAUKESHA	CATERPILLAR
Performance	BASE BID	BASE BID	BASE BID
Site Rating: kWe	3578	4000	4200
Electrical Efficiency, 100% Load	38.0%	38.2%	39.5%
Thermal Efficiency	37.4%	34.0%	32.5%
Total Efficiency	75.4%	72.2%	71.9%
Lube Oil Consumption: g / kWhr	0.60	0.30	0.30
Expected Availability	95%	98%	95%
Annual Load Factor	92.2%	88.4%	86.6%
Total 5 year Life Cycle Cost (2)	$1,495,514	$386,732	$563,603
5 year Maintenance Proposal (2)	$1,077,240	$386,732	$325,058
Total 20 years Life Cycle Cost (2)	$8,843,692	$3,729,098	$3,603,144
Warranty Major Comp. (month)	36	60	36
Warranty Auxiliaries (month)	12	36	36
Others			
Requested Options (Table 4)	Satisfactory	Good	Very Good
Technical Proposal	Good	Satisfactory	Very Good
Engine Track Record	Satisfactory	Excellent	Good
Experience of Firm	Very Good	Very Good	Very Good
Proposed Team	Satisfactory	Satisfactory	Excellent
Emergency Service	Satisfactory	Very Good	Excellent
Low Grade Heat	Satisfactory	Very Good	Very Good
Absorption Chilling	Satisfactory	Satisfactory	Excellent
Economical			
1st Year Savings	$853,809	$982,069	$1,030,620
Present Value of 20 Year Savings	$7,762,977	$10,892,747	$11,379,586
Cogen Island Capital Cost (TI)	$4,855,300	$5,419,550	$3,649,427
Cogen Island NPV over 20 Years	$2,907,677	$5,473,197	$7,730,159
Capital Cost per kW of Capacity	$1,357	$1,355	$869

SOURCE : ENGINE MANUFACTURERS

10. (c.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 20

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Central Utilities Cogeneration Project
Request for Additional Capital Funding and
Plant Site Selection

RECOMMENDATION:

(a) (i) That the gross cost of the Central Utilities Plant Cogeneration Project be revised from $7,728,500 to $9,034,275 in the amount of $1,305,775 and that the additional costs be financed by the issuance of a debenture and the City Solicitor be authorized to revise By-law No. 95-09; and,

(ii) That the Regional Municipality of Hamilton Wentworth be requested to consent to the issuance of a debenture in the amount of $1,305,775 for a term not to exceed 20 years for the above project; and

(iii) That the City Treasurer be authorized to revise the 1995 - 2004 Capital Budget to reflect the increased debt requirement for the above project.

(b) That approval be given to proceed with the installation of a 4.2 MW Cogeneration Plant at the preferred site at the rear of City Hall behind the existing boiler plant referred to herein as CH-2.

D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As a result of Engineering work completed to-date and with a firm tendered price available for the supply and installation of the engine-generator sets (Cogen Island), the enclosed revised estimate was submitted by Marsh Energy Inc. for the Central Utilities Plant Cogeneration Plant.

Marsh Energy has identified an increase in the projected annual savings as a result of (a) an increase in plant performance based on Toromont/Caterpillar's bid to supply a 4.2MW Cogen Plant; (b) better than estimated long term maintenance costs as proposed by Toromont/Caterpillar; and (c) new gas rates as per discussions with Union Gas. The first year projected savings have increased to $871,712. Furthermore, potential revenue exists through the sale of the surplus heat generated by the cogen installation which has been valued at $225,540/year. This heat could be sold to potential surrounding customers and would generate additional savings to the City. However, these savings have not been included in the economic analysis herein since the City would need to secure potential customers first and invest the capital to provide the piping connection to and from the cogen plant. In addition to the potential revenue generated by the surplus heat, this plant is being designed to allow for the future installation of a 400 ton absorption chilling machine located at City Hall. Not only will the installation of an absorption chiller provide additional savings, it will coincide with plans to phase out the use of the existing CFC refrigerant machines presently being used for air conditioning City Hall. The attached Appendix - A was prepared by the Treasury Department and depicts the analysis of the revised capital cost and estimated savings.

ASSUMPTIONS

(a) Total Capital Cost - $9,034,275
(b) Discount Rate - 9.25%
(c) Electrical Inflation - 0% 1996, 1% 1997 - 1998, 2% 1999, 5% 2000 - 2001, 2% 2002 - 2016
(d) Gas Inflation - 0% 1996, 5%, 4%, 3%, and 4% in the subsequent years.
(e) Maintenance Costs - 2% 1996 - 2016
(f) Reliability - 5% outages

The above assumptions are believed to be reasonable given the following:

(a) The total Capital Cost estimate is based on approximately 60% known or fixed costs to date. The remaining balance is an estimate based on several months of engineering an investigations completed with prudent contingencies built in.

(b) The discount rate is a conservative estimate given that the debenture rate for 1995 will likely be set at 8.0 to 8.25%.

(c) Electrical costs have been "frozen" by the Provincial Government as part of their election promises in an attempt to attract investment and improve growth in this province. However, given the 40 billion dollar debt of Ontario Hydro and given the historical performance of Hydro in setting electrical rates, there is no logical reason to believe this will be the case. If we believe that hydro rates will once again escalate at or above the rate of inflation then this project will prove to be economically viable. The rates used represent very conservative assumptions which are below the projected rate of inflation with the exception of two rate increases towards the end of the current Provincial Governments term in office.

(d) Gas costs have been inflated after the first year utilizing fixed gas prices quoted by the City's current supplier, Westcoast Energy Inc. If the City were to request quotes for a five year secure gas price today, the cost inflation during that period would be 0%, 5%, 4%, 3% and 4% respectively. The City currently purchases its gas at $1.30/GJ. It would not be in the City's best interest at this time to contract beyond a one year term with an option to renegotiate for an extended period should gas prices begin to move up.

(e) Maintenance costs are based on a firm quoted price from Toromont/Caterpillar for a 15 year period and inflated at 2%/year over the term of the agreement.

(f) Comprehensive studies have shown that the overall availability factor of a gas fueled cogeneration system in the size range that the City is proposing to install is 92.7% versus that of the electric utility at 85.9%. Forced outages account for less than 5% of the equipment downtime. We allowed for 5% forced outages. Scheduled outages to perform maintenance will be done out of normal operating hours.

Given there are existing agreements between the City of Hamilton and the Art Gallery of Hamilton and between the City of Hamilton and the Province of Ontario with respect to utility services provided by the Central Utilities Plant, the annual savings have been reduced accordingly with the assumption that both of these parties would be entitled to their proportional share of the energy savings as a result of the cogeneration installation. We do not believe that this would be the case based on our interpretation of the existing agreements. However, this assumption allows for the "worst case" scenario.

REVISED ESTIMATE

Revised Estimate - 1995 October 12	$8,124,321
Construction Contingency - 10% Divisions 1 - 16	295,910
Project Management Contingency	150,000
Contingency - Cogen Island & Fees - 5%	200,494
PST	344,534
	$8,770,725
Consulting Fees (Phase I)	$ 25,450
Engineering Fees (Additional 3 Studies)	$ 79,900
Engineering Fees (Alternative Site Study)	55,000
	$8,931,075

RECOMMENDED OPTIONS

8 Inch Piping	92,000
Construction Contingency - 10%	$ 8,000
PST - 8%	3,200
Total Including Options	**$9,034,275**
Current Approved Budget	$7,728,500
Additional Funding Required	$1,305,775

We fully appreciate that City Council may wish to evaluate this project and the additional funding required at the same time as it evaluates all other capital projects during deliberations on the 1996 - 2005 Capital Budget. In this case however, we would request Council to make an exception to this practice for the following reasons:

(1) For every month this project is delayed the City loses approximately $72,000 in gross energy savings before debt charges.

(2) Delivery of the major components could take up to 26 weeks. Timing is critical to achieve maximum savings.

(3) A number of regulatory approvals will have to take place before construction begins. The earlier these applications can be submitted the sooner the necessary approvals can be in place.

(4) The tender for the supply of the engine/generator sets closed in April of this year with a 60 day acceptance period. The low bidder in this case, Toromont/Caterpillar, have been extremely patient and cooperative with the City. However, should they no longer be able to hold the price they quoted in April, the City will be forced to re-tender and risk paying significantly more for the engine/generator sets. There is a difference of approximately $1,200,000 between Toromont/Caterpillar and the next lowest bidder.

BACKGROUND:

City Council adopted Item 16 of the SIXTH Report for 1995 submitted by the Finance and Administration Committee on 1995 February 28. Approval of Item 16 (b) provided an additional $1,663,411 towards the City's portion of the financing for the Central Utilities Plant - Cogeneration Project. The revised estimate for a 3.8 megawatt cogeneration plant became $7,727,911. and the City's contribution increased to $3,684,911. This project was originally approved for funding through the Canada/Ontario Infrastructure Works Program at $6,064,500 with the City's contribution being $2,021,500.

A previous report to the Capital Budget Sub-Committee dated 1995 January 30 justified the increase based on the proposal submitted by Marsh Energy Inc. of Burlington, Ontario in response to a competitive process whereby five "short listed" consulting firms were requested to submit proposals of conceptual designs including the economic analysis. The proposal submitted by Marsh Energy was the only one received which proved to be economically viable. As a result of a comprehensive analysis completed by Property and Treasury Department staff, the Property Department recommended to City Council that the additional financing required be approved on the basis of the positive return on the capital investment.

The project estimate included within Marsh's proposal was comprised of a number of construction divisions including an estimate based on a written estimate from one of the engine manufacturers for the supply of the engine-generator sets.

Since February of this year, Marsh Energy and City staff have been developing the specifications for the purpose of tendering the supply and installation of the 3.8MW engine-generator sets and ancillary equipment (Cogen Island). This being the single largest component of the overall project and in lieu of the lengthy delivery time, it was determined that pre-tendering the Cogen Island including the installation would ensure that the timetable resulting from the Infrastructure Guidelines could be met and that energy savings could be realized to the City at the earliest possible date.

In response to the Request For Tender issued on March 15, 1995, three tenders were received. The lowest acceptable bid was received from Toromont/Caterpillar for a 4.2MW Cogen Island at $3,200,000 exclusive of all taxes. The next lowest bid was received from Wartsila Diesel Canada Inc. at $4,560,000. It is important to note that the estimate for the supply of the engine-generator sets in Marsh's earlier report was $2,900,000 and was based on a written estimate submitted by Wartsila. When questioned on the significant difference, Wartsila claimed that the exchange rate between the Canadian dollar and the Swedish Kronar was a major factor. In addition, Wartsila claims to have gained valuable experience from a similar project recently completed in Cornwall, Ontario and this was reflected in their bid.

In addition to tendering the Cogen Island, Marsh Energy and City staff have been refining the technical details of the conceptual design including the ultimate size and site of the cogeneration plant. The original site, referred to as A-2, is located on the sixth level of the underground parking garage directly beneath the Hamilton Art Gallery. Although it remains to be technically feasible to construct the cogeneration plant at this site as originally planned, a number of concerns specific to A-2 prompted City staff to explore possible alternatives. In addition to these concerns, an updated estimate for A-2 has indicated that it will be far more expensive to install the plant at the A-2 site than what was originally estimated. The revised estimate for A-2 including options which would be recommended by City staff is $10,267,566.

Three alternative sites were scrutinized by staff which included a parcel of land on York Street adjacent to the above ground parking structure, the property immediately west of the Art Gallery and fronting King Street belonging to the Board of Education and an area at the back of City Hall in the tunnel next to the existing boiler room. The Board of Education and York Street sites were rejected for various reasons.

The remaining alternative site, referred to as CH-2, required detailed evaluation in order to make an effective comparison to the original A-2 site. City Council approved of a recommendation from the Property Department to commission Marsh Energy to complete a comprehensive analysis of the City Hall site. Upon completion of the CH-2 Evaluation, Marsh Energy submitted a detailed report including an economic analysis and revised construction estimate. The attached Appendix - C compares site A-2 to the City Hall CH-2 site.

Marsh Energy has identified the CH-2 site to be superior to the original A-2 site and has recommended to the City that this become the preferred site. Marsh has noted that the knowledge gained since their estimate of 1995 January 5 as a result of Engineering work carried out and the inclusion of the successful generator-sets vendor's data is reflected in their estimate for CH-2.

From the results of their evaluation of CH-2, it is Marsh's opinion that CH-2 is a better location for the installation of the 4.2MW cogeneration plant. The project capital cost is predicted to be lower as a result of the more convenient structure, available space, and better construction access of CH-2. Another advantage of this site is that the installation is confined to property owned or managed by the City which will minimize the need for negotiations with other parties. Furthermore, the existing City Hall boiler plant is ideally located near CH-2 to become the new peaking boiler plant for an expanded district heating system.

Marsh's report projects significantly improved savings over their previous proposal which justifies the investment of the additional capital cost. Much of the improved savings is derived from the increase in electrical output (4.2 vs. 3.8) of the engine-generator sets as proposed by Toromont/Caterpillar in their response to our Request For Tenders. This increase in electrical capacity will be utilized in City facilities with the corresponding savings as a result. Included herein is a copy of the economic analysis completed by the Treasury Department utilizing the revised construction estimate and projected savings. Clearly the analysis shows that the project continues to be viable even with the increase in construction estimate.

DWV/rd

encls.

cc. L. King, Vice-Chairman, Capital Budget Sub-Committee
Building Department

J. Pavelka, C.A.O., Chief Administrative Office
A. Ross, City Treasurer
P. Noé Johnson, City Solicitor
R. Fair, Director, Culture & Recreation
D. Lobo, Commissioner, Public Works & Traffic
P. Baker, General Manager, Parking Authority
K. Roberts, CEO, Hamilton Public Library
N. Adhya, Manager of Budgets, Treasury Department
R. Desnoyers, Assistant Manager, Building Operations & Maintenance

TRIGENERATION (Infrastructure)

Debt charges 9.25% (0.157543)

MARSH ENERGY INC. – Gross Cost

Year	Date	Total Payment	10 Years Amortization Principal	10 Years Amortization Interest	Principal Outstanding	Operating Savings	Return Exclusive of Debt Charges	Savings After Debt Charges	Return After Debt Charges
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
	01-Jan-96				9,034,275				
1	01-Jan-97	1,423,288	587,618	835,670	8,446,657	871,712	9.65%	(551,576)	-6.11%
2	01-Jan-98	1,423,288	641,972	781,316	7,804,685	848,802	9.40%	(574,486)	-6.36%
3	01-Jan-99	1,423,288	701,355	721,933	7,103,330	832,154	9.21%	(591,134)	-6.54%
4	01-Jan-2000	1,423,288	766,230	657,058	6,337,100	839,336	9.29%	(583,952)	-6.46%
5	01-Jan-2001	1,423,288	837,106	586,182	5,499,994	894,613	9.90%	(528,675)	-5.85%
6	01-Jan-2002	1,423,288	914,539	508,749	4,585,455	968,839	10.72%	(454,449)	-5.03%
7	01-Jan-2003	1,423,288	999,133	424,155	3,586,322	988,216	10.94%	(435,072)	-4.82%
8	01-Jan-2004	1,423,288	1,091,553	331,735	2,494,769	1,007,980	11.16%	(415,308)	-4.60%
9	01-Jan-2005	1,423,288	1,192,522	230,766	1,302,247	1,028,140	11.38%	(395,148)	-4.37%
10	01-Jan-2006	1,422,705	1,302,247	120,458	0	1,048,703	11.61%	(374,002)	-4.14%
11	01-Jan-2007				0	1,157,455	12.81%	1,157,455	12.81%
12	01-Jan-2008				0	1,194,103	13.22%	1,194,103	13.22%
13	01-Jan-2009				0	1,231,889	13.64%	1,231,889	13.64%
14	01-Jan-2010				0	1,270,848	14.07%	1,270,848	14.07%
15	01-Jan-2011				0	1,311,016	14.51%	1,311,016	14.51%
16	01-Jan-2012				0	1,477,980	16.36%	1,477,980	16.36%
17	01-Jan-2013				0	1,524,616	16.88%	1,524,616	16.88%
18	01-Jan-2014				0	1,012,573	11.21%	1,012,573	11.21%
19	01-Jan-2015				0	1,619,253	17.92%	1,619,253	17.92%
20	01-Jan-2016				0	1,660,787	18.38%	1,660,787	18.38%
		14,232,297	9,034,275	5,198,022		22,789,015		8,556,718	
	NET PRESENT VALUE OF FUTURE SAVINGS					9,251,150		216,876	

MARSH ENERGY INC. – Net City Cost (After Infrastructure Subsidy)

Year	Date	Total Payment	10 Years Amortization Principal	10 Years Amortization Interest	Principal Outstanding	Operating Savings	Return Exclusive of Debt Charges	Savings After Debt Charges	Return After Debt Charges
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
	01-Jan-96				4,991,275				
1	01-Jan-97	786,341	324,648	461,693	4,666,627	871,712	17.46%	85,371	1.71%
2	01-Jan-98	786,341	354,678	431,663	4,311,949	848,802	17.01%	62,461	1.25%
3	01-Jan-99	786,341	387,486	398,855	3,924,463	832,154	16.67%	45,813	0.92%
4	01-Jan-2000	786,341	423,328	363,013	3,501,135	839,336	16.82%	52,995	1.06%
5	01-Jan-2001	786,341	462,486	323,855	3,038,649	894,613	17.92%	108,272	2.17%
6	01-Jan-2002	786,341	505,266	281,075	2,533,383	968,839	19.41%	182,498	3.66%
7	01-Jan-2003	786,341	552,003	234,338	1,981,380	988,216	19.80%	201,875	4.04%
8	01-Jan-2004	786,341	603,063	183,278	1,378,317	1,007,980	20.19%	221,639	4.44%
9	01-Jan-2005	786,341	658,847	127,494	719,470	1,028,140	20.60%	241,799	4.84%
10	01-Jan-2006	786,021	719,470	66,551	0	1,048,703	21.01%	262,682	5.26%
11	01-Jan-2007				0	1,157,455	23.19%	1,157,455	23.19%
12	01-Jan-2008				0	1,194,103	23.92%	1,194,103	23.92%
13	01-Jan-2009				0	1,231,889	24.68%	1,231,889	24.68%
14	01-Jan-2010				0	1,270,848	25.46%	1,270,848	25.46%
15	01-Jan-2011				0	1,311,016	26.27%	1,311,016	26.27%
16	01-Jan-2012				0	1,477,980	29.61%	1,477,980	29.61%
17	01-Jan-2013				0	1,524,616	30.55%	1,524,616	30.55%
18	01-Jan-2014				0	1,012,573	20.29%	1,012,573	20.29%
19	01-Jan-2015				0	1,619,253	32.44%	1,619,253	32.44%
20	01-Jan-2016				0	1,660,787	33.27%	1,660,787	33.27%
		7,863,090	4,991,275	2,871,815		22,789,015		14,925,925	
	NET PRESENT VALUE OF FUTURE SAVINGS					9,251,150		4,259,875	

CITY OF HAMILTON

- RECOMMENDATION -

11.

DATE: 1995 October 18

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo
Commissioner of Public Works and Traffic

SUBJECT: 1995 - 1998 Street Vendors Program

RECOMMENDATION:

1. (a) That Item 2 of the Sixteenth Report of the Finance and Administration Committee, as approved by City Council on 1995, May 30th, be amended by rescinding the approvals for the nine Street Vendor locations awarded to the Sarasota Sizzlers; and,

   (b) That location #25 - Pier 4 Park be deleted from the list; and,

   (c) That the remaining eight locations be retendered early in 1996 for the period commencing April 1996 to the end of December 1998.

2. (a) That Item 29 of the Seventeenth Report of Finance and Administration Committee, as approved by City Council 1995, June 27, be amended by rescinding the approvals for two Street Vendor locations #2 - N/E corner of King and Catharine and #3 - North side of King just east of James awarded to Mr. Mustafa Ghomishah and by rescinding the one approval for location #6 - Jarvis Square Clock Tower awarded to Mr. Troy D'Souza; and,

   (b) That location # 2 - N/E corner of King and Catharine and location # 6 be retendered early in 1996, for the period commencing April 1996 to the end of December 1998; and,

   (c) That location #3 - North side of King St., East of James St., be offered to and awarded to Mr. Jamshid Haidary for the period commencing immediately and continuing to the end of December 1998 for a lump sum fee of $7,000 and under the usual terms and conditions (including fee, license, product, and Health Department approval); or, if this agreement is not reached, this location be retendered early in 1996 with the other locations.

C. Jutt. England for
D. Lobo

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Sarasota Sizzler company was awarded the nine locations based on bids amounting to a total of $38,000. Loss of the bid represents a reduction of $12,000 from 1995 projected revenues.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: (Cont'd...)

Mr. Ghomishah was awarded the two locations based on bids amounting to $9,200. The loss of the one bid and awarding of the one bid represents a net reduction of $730 from 1995 projected revenues.

Mr. D'Souza was awarded the two locations based on bids amounting to $1,860. The loss of the one bid represents a net reduction of $360 from 1995 projected revenues.

Each bidder submitted a $500 surety deposit with his bid package. The surety deposits from the above total to $1,500, which is retained by the City.

BACKGROUND:

The nine locations previously awarded to Sarasota Sizzlers include the following: #1 - Corner of York and Bay (Copps Col.), #8 - S/E Corner of Catharine and King, #9 - S/W corner of John and King, #11 - Stelco Tower, #12 - City Hall Forecourt, #16 - south side of King at James, #20 - Dundurn Park, #28 - Bayfront Park and location #25 - Pier 4 Park, which is recommended for deletion as a site due to lack of sufficient space to support 3 vendors. The President of this company has made several promises to commence operations but has been unable to fulfil this commitment. Staff have attempted to contact this company by telephone and fax which are no longer in service. Two letters (one registered) of termination have been also sent.

Reasons stated by the other vendors for not operating or for failing to enter into an agreement include: financial difficulties; and, error in bidding (wrong location). Registered letters of termination have been sent to these two vendors.

The awarding of location #3 is recommended, based on Mr. Haidary being the next highest bidder for the location. At the time of this report, Mr. Haidary has indicated his willingness to take that location for the bid he originally submitted but he has not yet provided proof of his ability to comply.

During the bidding process, several of the successful bidders indicated that they were very uncomfortable with the requirement for the up front payment in combination with the 42 month time period for the contract. They felt it was too long and somewhat risky. Several people indicated that they did not bid for the same reason. Consensus seemed to suggest that two year to two and half year periods would be more conducive to bidding in the future. It is proposed that the sites listed in this report for retendering, come to a conclusion in concert with the other sites currently operating, then all sites could be tendered at once.

DF/

4.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 October 24th
1:30 o'clock p.m.
Room 233, City Hall

A. **MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

Minutes of the regular meeting held on Tuesday, 1995 October 3rd

B. **TREASURER**

(i) Funding - Financing the City's share of relocating catch basin cost on Lot 52 in Trenholme Survey

(ii) Reallocation of funds within the two Infrastructure Projects - Sidewalk and Road Reconstruction

C. **ACTING COMMISSIONER OF PUBLIC WORKS AND TRAFFIC**

Replacement of One (1) 20 Yard Refuse Packer - Unit 9129, Fleet Services

D. **CITY SOLICITOR**

By-law to amend By-Law 79-144 - Adult Entertainment Parlour

E. **DIRECTOR OF PROPERTY**

(i) Carpet Replacement City Hall, 5th, 6th, 7th Floors

(ii) Re-roofing Lawfield Arena, Fleet Services Garage, Central Memorial Recreation Centre

(iii) Summers Lane Sprinkler System Replacement

F. CHIEF ADMINISTRATIVE OFFICER

Canadian Diabetes Association of Hamilton-Wentworth

G. CITY CLERK

(i) Use of Council Chamber and Council Chamber Lobby - Fountain Foundation

(ii) Use of City Hall Forecourt - Dutch Tulip Celebration Garden

(iii) Canadian Club of Hamilton - Postcard Campaign

(iv) Hamilton Gallery of Distinction - Purchase by the City of a table for the 1995 Induction Ceremonies and Dinner

H. COMMISSIONER OF HUMAN RESOURCES

Information Report - Grievance of H.P.F.F.A. Local 288 re: H.M.R.F. Survivor Benefits

I. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items

Tuesday 1995 October 3
1:30 o'clock p.m.
Room 233, City Hall

A.

The Finance and Administration Committee met.

Present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice Chairman
Alderman M. Kiss
Alderman V. J. Agro
Alderman D. Drury
Alderman D. Wilson
Alderman T. Anderson
Alderman C. Collins

Regrets: Mayor R. M. Morrow - Vacation

Also Present: Alderman H. Merling
Alderman G. Copps
Alderman F. Eisenberger
J. G. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Barkwell, Law
D. Vyce, Director of Property
R. Fair, Director of Culture and Recreation
Fire Chief G. Smith
J. Johnston, Commissioner of Human Resources
J. Hindson, Director of Information Systems
L. King, Building Commissioner
M. Watson, Real Estate, Property Department
J. J. Schatz, City Clerk
Susan K. Reeder, Secretary

A G E N D A

1. IN CAMERA AGENDA

The Committee moved into an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved into Regular Session, and approved the following:

AA. CITY SOLICITOR AND COMMISSIONER OF PUBLIC WORKS AND TRAFFIC - Ontario Court (General Division) Action #2371/93 - City of Hamilton -ats- Dominion of Canada General Insurance Company et.al

(a) That the City resolve Ontario Court (General Division) Action # 2371/93 by the payment to the Plaintiffs, Dominion of Canada General Insurance Company and 599960 Ontario Inc., operating as Taylor Leasing, of the sum of $1,500. inclusive of all claims, damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 2371/93 and all crossclaims therein be dismissed without costs.

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda.

Alderman Ross questioned Item B(iv) - Treasurer - Financing Consultant Fee - Local Government Restructuring and whether any response formulated by the City would be considered by the Constituent Assembly in keeping with its timeframe for submissions. Following some discussion on this, Alderman Ross indicated that he would raise this matter at Regional Council that evening, and request an extension to the timeframe of the Constituent Assembly to allow consideration and inclusion of the City's submission.

It was indicated that on Monday, 1995 October 16th, a Committee of the Whole meeting will be held from 9:00 a.m. - 12:00 noon to hear from Mr. Kitchen and to discuss a City of Hamilton submission to the Constituent Assembly on Local Government Restructuring.

The Committee then approved the following items contained in its Consent Agenda:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1995 September 19th, the minutes of the special meetings held on Tuesday, 1995 September 26th at 7:00 o'clock p.m. and at 10:30 o'clock p.m. The Committee approved these minutes as circulated.

B. TREASURER

(i) Authorization to Enter into Extension Agreements on Specific Properties for the Payment of Realty Tax Arrears

The Committee was in receipt of a report from the Treasurer dated 1995 September 26, respecting the above noted matter.

The Committee approved the following:

(a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

386 Barton East 178 Barons North

(b) That the by-law to authorize the said Extension Agreements be enacted by Council; and,

(c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

(ii) Funding - City's share of increased cost - Detailed Storm Water Management Study for the Albion Mills Subdivision

The Committee was in receipt of a report from the Treasurer dated 1995 September 25, respecting the above noted matter.

The Committee approved the following:

That as referred to in Section 16 of the Twelfth Report for 1995 of the Transport and Environment Committee, the cost revision from $18,000. to $33,000. for the detailed Storm Water Management Study for the Albion Mills Subdivision in order to provide an Environmental Impact Statement to determine the impact of development in the Albion Falls Neighbourhood and the immediate area in the amount of $15,000., be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

(iii) **Funding - Rymal Road East, south side from Upper James Street to Springside Drive - Local Improvement Sidewalks Increased Costs**

The Committee was in receipt of a report from the Treasurer dated 1995 September 26, respecting the above noted matter and approved the following:

(a) That as referred to in Section 20 of the Twelfth Report for 1995 of the Transport and Environment Committee, By-Law No. 95-155 be amended to provide for increased costs to construct an independent concrete sidewalk on the south side of Rymal Road East from Upper James Street to Springside Drive under the Local Improvement Act at an estimated $30,000.; and,

(b) That the City's share of $30,000. from $24,133.30 to $54,133.30 be financed from the 1995 Capital Levy (Account Centre No. CH22002); and,

(c) That the total project cost be revised from $74,800. to $104,800.; and,

(d) That the amending By-Law be prepared and submitted in a form satisfactory to the City Solicitor enactment by City Council.

(iv) **Financing Consultant Fee - Local Government Restructuring**

The Committee was in receipt of a report from the Treasurer dated 1995 September 29, respecting the above noted matter.

The Committee approved the following:

That the upset limit of $10,000. to retain Harry Kitchen, Consultant, to assist the Committee of the Whole in drafting a position on Local Government Restructuring be financed from Consultants Fees Account CH 55406 24101.

(v) **Status of Hamilton Hydro G.S.T. - I.T.C. Rate Rebate**

The Committee was in receipt of a report from the Treasurer dated 1995 September 27, respecting the above noted matter and approved the following:

(a) That the invoice in the amount of $73,275.33 from Hamilton Hydro be paid from Account No. CH 5X921-00140; and,

(b) That the Reserve Account No. 00140 be closed and the balance be transferred to the Reserve for Working Funds (No. 00172).

C. **CITY SOLICITOR - By-law respecting 1994 Debenture Projects and Amounts**

The Committee was in receipt of a report from the City Solicitor dated 1995 September 21, respecting the above noted matter.

The Committee directed that the By-law to amend By-law No. 94-095 respecting 1994 Debenture Projects and Amounts, attached to the report, be forwarded to Council for enactment.

ADDED - CITY SOLICITOR - By-law respecting Correction of Adult Video Stores By-law 95-173

The Committee was in receipt of an added report from the City Solicitor dated 1995 October 2, respecting the above noted matter.

The Committee directed that the By-law to amend Licensing By-law No. 95-173 respecting Adult Video Stores, attached to the report, be forwarded to Council for enactment.

D. COMMISSIONER OF HUMAN RESOURCES - Appointments to and Terminations From Permanent Positions

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1995 September 22, respecting the above noted matter and approved the following:

That the listing of Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1995 September 21, attached herewith and marked Appendix "A", be approved.

E. CITY CLERK

(i) Use of Committee Rooms 264 and 233 - Multicultural Health Coalition

The Committee was in receipt of a report from the City Clerk dated 1995 September 26, respecting the above noted matter and approved the following:

(a) That approval be given to the Multicultural Health Coalition (Hamilton Chapter) to use Committee Rooms 264 and 233 on Thursday, 1995 November 23 from 7:00 to 9:00 p.m. for a Community Consultation Meeting; and,

(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

(ii) Use of Second Floor Foyer - Ontario March of Dimes

The Committee was in receipt of a report from the City Clerk dated 1995 September 26, respecting the above noted matter and approved the following:

(a) That approval be given to the Ontario March of Dimes to place a paper Ability Tree on the second floor at City Hall during the month of 1995 November; and,

(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

(iii) Use of Council Chamber and Second Floor - Chinese Cultural Association

The Committee was in receipt of a report from the City Clerk dated 1995 September 26, respecting the above noted matter.

The Committee approved the following:

That approval be given to the Chinese Cultural Association to use the following City Hall facilities in order to enhance the Hamilton Sesquicentennial Birthday Celebration:

(a) Council Chambers on Monday, 1996 February 5 at 3:00 p.m. for Opening Ceremonies; and,

(b) Second Floor Lobby during the month of February for an Exhibition of Chinese Arts and Crafts.

(iv) Use of Second Floor Foyer - Hamilton Veterans Committee

The Committee was in receipt of a report from the City Clerk dated 1995 September 26, respecting the above noted matter.

The Committee approved the following:

(a) That approval be given to the Hamilton Veterans Committee to use the Second Floor Foyer (east end), from 1995 November 1 to 14, for a photographic display; and,

(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

F. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1995 September 29, respecting the above noted matter and approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Correspondence - Municipality of Annapolis County - Proposed Commemoration of Port Royal on the new $2 Coin - letter dated 1995 August 31st.

(b) Correspondence - Sandra Pupatello, MPP, Windsor-Sandwich - Provincial budget cuts - letter dated 1995 August 3rd

(c) Correspondence - FCM - Request for resolutions for consideration at the December 1995 meeting of FCM National Board of Directors - correspondence dated 1995 September 13th

(d) Correspondence - Mayor Betty Toporowski, City of New Westminster, B.C. re: FCM - Federal Government's review of marine policy - letter dated 1995 September 20th

REGULAR AGENDA

3. HAMILTON MUNICIPAL RETIREMENT FUND SUB-COMMITTEE - H.M.R.F. Amendment

The Committee was in receipt of a report from the Chairman of the Hamilton Municipal Retirement Fund Sub-Committee dated 1995 September 28, respecting the above noted matter.

The Committee approved the following:

(a) That effective 1988 January 1, The Hamilton Municipal Retirement Fund be amended and restated in the form and manner contained in the document entitled "The Hamilton Municipal Retirement Fund (As amended and Restated Effective 1988 January 1)" located in the Office of the Clerk; and,

(b) That the Treasurer or officer designated by the Treasurer of the Corporation is authorized to execute such other agreements, certificates, consents, corporate papers and other documents, make such payments and take all other action (including the filing of all required documents which appropriate governmental agencies and ensuring compliance with any reasonable changes or conditions imposed by the Department of Finance, Revenue Canada, Taxation, the Pension Commission of Ontario or any other appropriate governmental authorities in connection with the actions authorized or approved in the foregoing resolutions) that the Treasurer deems necessary or desirable to carry out the intent and purposes of the foregoing resolution.

4. DIRECTOR OF INFORMATION SYSTEMS - Telephone Tariff Audit

The Committee was in receipt of a report from the Director of Information Systems dated 1995 September 19, respecting the above noted matter and approved the following:

(a) That Telecom Services Limited (TSL) of New York, New York be authorized to audit the City of Hamilton's telephone bills on a contingency basis, where TSL receives 42% of any one-time refunds that apply in accordance with their proposal of 1995 June 16; and,

(b) That any telephone bill refunds be credited to Account #24201 (Miscellaneous Revenue) and that any payments to Telecom Services Limited be made from the same account; and,

(c) That the Mayor and City Clerk be authorized to execute an agreement with Telecom Services Limited provided that it is in a form satisfactory to the City Solicitor.

5. **DIRECTOR OF CULTURE AND RECREATION AND COMMISSIONER OF HUMAN RESOURCES - Co-Ordinator of Food Services Position**

The Committee was in receipt of a joint report from the Director of Culture and Recreation and the Commissioner of Human Resources dated 1995 September 14, respecting the above noted matter.

The Committee approved the following:

(a) That the practice of utilizing an employment contract for the incumbent in the complement position of Co-ordinator of Food Services, Culture and Recreation Department, be discontinued; and,

(b) That this position be forwarded to the Human Resources Department for rating within the Job Evaluation Program.

6. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE Appointment - one Council representative - Hamilton Status of Women Sub-Committee**

The Committee was in receipt of a memorandum from the Secretary of the Finance and Administration Committee dated 1995 September 28, respecting the above noted matter.

Discussion ensued. It was moved and seconded:

That the Aldermanic composition on the Hamilton Status of Women Sub-Committee be increased from 2 to 3. **Motion Lost on a Tie Vote**

It was moved and seconded:

That Alderman D. Wilson be appointed to serve on the Hamilton Status of Women Sub-Committee. **Motion Lost on a Tie Vote**

It was moved and seconded:

That Alderman M. Kiss be appointed to serve on the Hamilton Status of Women Sub-Committee. **Motion Lost on a Tie Vote**

ADDED - DIRECTOR OF PROPERTY - Emergency Repairs to Various Tax Sale Properties now in the Possession of the City of Hamilton

The Committee was in receipt of an added report from the Director of Property dated 1995 October 2, respecting the above noted matter.

The recommendation read as follows:

That the Director of Property be authorized to initiate emergency repairs on tax sale properties where needed up to a maximum of $20,000. per property and the cost be charged to Account No. CH 5X307 00102 (Reserve for Property Purchases).

Discussion ensued on the need to do this, and the concerns at the costs that would be incurred vs. the revenues to be realized on the future sales of these properties.
The Committee agreed that the work required on the former Arrow Restaurant on Barton Street should be done, and the costs for the work reported back to the Committee for information. Further to the need for work on other properties, it was agreed that should this need arise, that the Director of Property should come back to the Committee with a specific request.

7. OTHER BUSINESS

Respecting the Foster Building, Alderman Wilson questioned the wisdom of proceeding with the hiring of a Consultant to provide a report on the architectural and engineering aspects of the building.

Some discussion ensued on this, and Alderman Wilson indicated that he would be raising this matter at the next meeting of City Council, and in the interim asked that staff delay on hiring a Consultant.

8. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1995 October 3

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Deborah Gagnon	I	Paralegal/Prosecutor (N)	Law	Replacing Mr. A. Biro - retired, Dec. 30/94	$37,794.64 to $44,568.68	Aug. 28/95

Prepared September 21, 1995

Status
Internal - I
External - E

Appendix "A" referred to in Section 7 of the TWENTY-FOURTH Report of the Finance and Administration Committee for 1995.

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Carl Jason	Concrete Finisher	Public Works	Resigned	4 years, 3 months	Aug. 28/95
Mr. Richard Ladniak	Caretaker	Property	Resigned	5 years, 9 months	Aug. 29/95
Mr. George Baker	Fire Chief	Fire	Retired	35 years, 6 months	Sept. 29/95

Prepared September 21, 1995

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 11

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing the City's share of relocating catch basin cost on Lot 52 in Trenholme Survey

RECOMMENDATION:

That the City's share of relocating the catch basin on Lot 52 in Trenholme Survey from its present location to the south east corner of the back yard at an estimated cost of $1,500.00., be financed from the Account Centre No. CH 00107 - Reserve for Services Through Unsubdivided Lands.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The net amount to be financed from all 1995 projects related to subdivision expenditures, including this recommendation is $59,343.00. The 1995 Capital Budget includes a provision of $1,273,000. for the City's share of subdivision expenditures in 1995.

BACKGROUND:

The details of this project was approved under Item 15 of the Eighteenth Report of the Planning and Development Committee adopted by Council on 1995 September 26.

NRA:jc

c.c. V.J. Abraham, M.C.I.P., Director, Local Planning Division-City Hall

B.(ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 13

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Reallocation of funds within the two Infrastructure Projects - Sidewalk and Road Reconstruction

RECOMMENDATION:

That the City Solicitor be authorized to amend By-Law Nos. 94-135 and 95-18 as follows:

By-Law No.	Project No.	Description	Authorized Cost	Federal & Provincial Subsidy	Debenture Amount
94-135	M1610107	Roadway & Sidewalk Reconstruction	$3,800,000.	$2,533,333.	$1,266,667.
		Requested Decrease	(190,300.)	(126,867.)	(63,433.)
			$3,609,700.	$2,406,466.	$1,203,234.
95-18	M1610108	Additional Sidewalk Reconstruction	$491,917.	$327,944.	$163,973.
		Requested Increase	190,300.	126,867.	63,433.
			$682,217.	$454,811.	$227,406.

Allan C. Ross.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Same as above.

BACKGROUND:

The details of the project background are outlined in the letter of Mr. D. Lobo, Commissioner of Public Works and Traffic dated June 19, 1995.

NRA:jc
Att

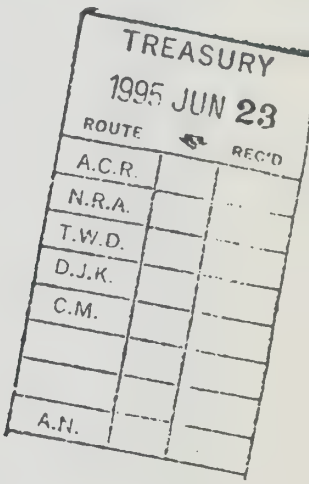
c.c. D. Lobo, Director of Public Works
P. Noé Johnson, City Solicitor

Department of Public Works & Traffic
Streets & Sanitation Division, 4th Floor

City of HAMILTON

71 Main Street West, Hamilton, Ontario, L8N 3T4
Tel. (905) 546-4297/Fax (905) 546-3972
File: 95.1047

1995 June 19



Canada/Ontario Infrastructure Works Office
Ministry of Municipal Affairs
777 Bay Street, 13th Floor
Toronto, Ontario
M5G 2E5

Attention: Mr. Ahmed Sharaf

Re: Amendments to City of Hamilton Projects
M16101-07 and M16101-08

We hereby request approval for the following amendments to the above-noted projects:

1. M16101-07 - Binkley Crescent (Sanders to Sanders) reduce appropriation from $262,500 to $193,000 ($69,500 reduction).

2. M16101-07 - Delete Gerrard Street (Sherman to Birch) estimate $120,800.

3. M16101-08 - London Street (King to Lawrence) east side - increase appropriation from $31,900 to $101,400 ($69,500 increase) to accommodate sidewalk reconstruction on both sides. The revised postal codes should be L8K 2G7 to L8K 2H2.

4. M16101-08 - Marcella Crescent (Summercrest to Summercrest) increase appropriation from $31,000 to $151,800 ($120,800 increase) to accommodate necessary sidewalk reconstruction on both sides in expanded limits. The revised postal codes should be L8K 6E9 and L8K 6G1 to L8K 6G3.

Attached are the amended Schedule 2 forms. If you require any additional information, please contact Reg Meiers at (905) 546-4297.

D. LOBO
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS & TRAFFIC

RPM/rb
attachments

c.c. M. B. Chandrashekar, Supervisor, Accounting, Treasury Department
c.c. D. Y. Onishi, Director, Design & Construction, Roads Department

SCHEDULE 2/ANNEXE 2
PROJECT EXPENDITURE FORECAST/DÉPENSES PRÉVUES DU PROJET
(Section 2.1 through 2.11 - Guide to the Application Form)/(Article 2.1 à 2.11 - Guide pour remplir le formulaire de demande)

Local Partner/Partenaire local	Project Name/Nom du projet
THE CORPORATION OF THE CITY OF HAMILTON	SIDEWALK RECONSTRUCTION VARIOUS LOCATIONS - SEE SCHEDULE "A"

	1994/95				1995/96				1996/97			
	Apr-Jun/ Avr-Juin	July-Sept/ Juil-Sept	Oct-Dec/ Oct-Déc	Jan-Mar/ Jan-Mars	Apr-Jun/ Avr-Juin	July-Sept/ Juil-Sept	Oct-Dec/ Oct-Déc	Jan-Mar/ Jan-Mars	Apr-Jun/ Avr-Juin	July-Sept/ Juil-Sept	Oct-Dec/ Oct-Déc	Jan-Mar Jan-Mar
2.1 Invoiced Costs - Major Contract/ Coûts facturés - Contrat important		1,460,051	1,497,664	276,226		103,529						
2.2 Other relevant contract costs/ Autres coûts pertinents du contrat												
2.3 Salaries & Employee Benefits/ Salaires et avantages sociaux des employés	76,000	197,304	78,922			7,792						
2.4 Equipment/Matériel			17,400									
2.5 Other Costs (specify)/Autres coûts (préciser) (Material)			28,400									
2.6 Total Estimated Project Gross Cost/Coût brut total estimatif du projet	78,922	1,657,355	1,622,386	276,226		111,321						
2.7 Less GST Rebates/Moins remboursements de la TPS	2,922	61,355	57,886	10,226		4,121						
2.8 Total Estimated Project Net Cost/Coût net total estimatif du projet	76,000	1,596,000	1,564,500	266,000		107,200						

Proposed Method of Financing/Méthode de financement proposée	Total Funding $/Financement total $
2.9 Canada Ontario Infrastructure Works Capital (Federal and Provincial Shares)/ Recettes en capital - Programme sur les travaux d'infrastructure Canada-Ontario (Parts fédérale et provinciale)	$2,406,467.00
2.10 Local Partner's Own Resources/Fonds propres du partenaire local	$1,203,243.00
2.11 Private Sector Contributions (Attach Business Case)/Contributions du secteur privé (Prière de joindre un rapport d'affaires)	
TOTAL/TOTAL	$3,609,700.00

SCHEDULE 2/ANNEXE 2
PROJECT EXPENDITURE FORECAST/DÉPENSES PRÉVUES DU PROJET
(Section 2.1 through 2.11 - Guide to the Application Form)/(Article 2.1 à 2.11 - Guide pour remplir le formulaire de demande)

Local Partner/Partenaire local	Project Name/Nom du projet
THE CORPORATION OF THE CITY OF HAMILTON	SIDEWALK RECONSTRUCTION VARIOUS LOCATIONS - SEE SCHEDULE "A"

	1994/95				1995/96				1996/97			
	Apr-Jun/ Avr-Juin	July-Sept/ Juil-Sept	Oct-Dec/ Oct-Déc	Jan-Mar/ Jan-Mars	Apr-Jun/ Avr-Juin	July-Sept/ Juil-Sept	Oct-Dec/ Oct-Déc	Jan-Mar/ Jan-Mars	Apr-Jun/ Avr-Juin	July-Sept/ Juil-Sept	Oct-Dec/ Oct-Déc	Jan-Mar/ Jan-Mars
2.1 Invoiced Costs - Major Contract/ Coûts facturés - Contrat important			114,460	152,000		66,349						
2.2 Other relevant contract costs/ Autres coûts pertinents du contrat												
2.3 Salaries & Employee Benefits/ Salaires et avantages sociaux des employés			114,400	20,600		98,593						
2.4 Equipment/Matériel			18,680			25,681						
2.5 Other Costs (specify)/Autres coûts (préciser) (Material)			52,760			27,481						
2.6 Total Estimated Project Gross Cost/Coût brut total estimatif du projet			300,300	172,600		218,104						
2.7 Less GST Rebates/Moins remboursements de la TPS			11,117	6,390		8,720						
2.8 Total Estimated Project Net Cost/Coût net total estimatif du projet			289,183	166,210		226,824						

Proposed Method of Financing/Méthode de financement proposée	Total Funding $/Financement total $
2.9 Canada Ontario Infrastructure Works Capital (Federal and Provincial Shares)/ Recettes en capital - Programme sur les travaux d'infrastructure Canada-Ontario (Parts fédérale et provinciale)	$454,811.00
2.10 Local Partner's Own Resources/Fonds propres du partenaire local	$227,406.00
2.11 Private Sector Contributions (Attach Business Case)/Contributions du secteur privé (Prière de joindre un rapport d'affaires)	
TOTAL/TOTAL	$682,217.00

C.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 13

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. C. Firth-Eagland
Acting Commissioner of Public Works and Traffic

SUBJECT: Replacement of One (1) 20 Yard Refuse Packer
Unit 9129, Fleet Services

RECOMMENDATION:

That a purchase order be issued to Carrier Truck Centre, Brantford, in the amount of $117,760.00, including all applicable taxes, for the replacement of one (1) Refuse Packer unit #9129 for Fleet Services, being the lowest of six tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X504 00101.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the replacement of existing equipment through the 1995 Fleet Services vehicle replacement programme, as approved by City Council on January 31, 1995. The capital acquisition costs are carried within the Reserve for Mobile Equipment Account.

C Firth-Eagland

BACKGROUND: Tender Analysis

	With Trade	Without Trade
Carrier Truck Centre, Brantford	$103,892.80	$117,760.00
Hamilton Truck Service, Hamilton	107,446.30	121,313.50
Freightliner Mid-Ontario, Rexdale	108,296.15	122,163.35
Altruck Transportation Service, Hamilton	108,895.30	122,762.50
Capital Disposal Equipment, Rexdale	No Offer	122,814.25
Majeda Industries Ltd., Etobicoke	115,133.95	123,800.95

This tender was advertised and twelve suppliers requested to bid. Six responded and six did not reply.

This vehicle will replace existing equipment rendered obsolete by the criteria established within the vehicle replacement programme.

Unit 9129 will be disposed of at a future auction.

DM/DL

cc: C. Guthro, Manager of Fleet Services
J. Avery, Assistant to Manager, Purchasing
D. Manningham, Vehicle Acquisition Officer
L. Barker, Administrative Co-ordinator

D.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 13

REPORT TO: S. K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: By-law to Amend By-law 79-144 - Adult Entertainment Parlour

RECOMMENDATION:

That the attached By-law be enacted by City Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

City Council, on September 26, 1995, in adopting Item No. 7 of the 22nd Report of the Finance and Administration Committee authorized the City Solicitor to prepare the attached by-law to amend By-law 79-144 respecting requirements and prohibitions of lap dancing.

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

Adult Entertainment Parlours By-law No. 79-144

Respecting:

LAP DANCING

WHEREAS adult entertainment parlours are licensed, regulated and governed in By-law No. 79-144 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 7 of the 22nd Report of the Finance and Administration Committee, at its meeting held on the 26th day of September, 1995, directed that By-law No. 79-144 be further amended out of concern for the health and safety of attendants and patrons at adult entertainment parlours, to provide for the banning of touching between attendants and other persons in an adult entertainment parlour, the banning of advertising of lap dancing, and the posting of a sign;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Licensing By-law No. 79-144, be further amended by adding the sign as "Form 6", which is attached to and forms a part of this by-law.

2. Schedule 1.01 to By-law 79-144, be further amended by adding the following sections under Part 8 (General Requirements), after section 39:

"39a. The owner or operator of an Adult Entertainment Parlour shall display the sign attached as Form 6, which is included in and forms a part of this by-law, within the licensed premises, in an area accessible and visible to the public, to inform the patrons.

39b. The owner or operator of an Adult Entertainment Parlour shall not use signs or other advertisements promoting the business, which contain the words "lap dancing" or other similar or synonymous words or phrases.

39c. No person shall, being licensed as an owner or operator of an Adult Entertainment Parlour, permit in the parlour, an Attendant to have physical contact with another person's body, or to touch or be touched by another person.

39d. No attendant shall, during the provision of services within an Adult Entertainment Parlour, touch or have physical contact with another person."

3. In all other respects By-law No. 79-144 as amended, is hereby confirmed without change.

PASSED this day of A.D. 1995.

CITY CLERK MAYOR

NOTICE TO ALL ADULT ENTERTAINMENT PARLOUR ATTENDANTS & CUSTOMERS

It has been determined by the Medical Officer of Health that Lap Dancing or physical contact between customers and attendants can be a health hazard because of the risk of transmitting infectious diseases. Touching or physical contact between customers and attendants is not permitted.

Schedule 1.01 of City of Hamilton Adult Entertainment Parlour By-law 79-144 prohibits an attendant to touch or have physical contact with another person's body. Upon conviction under the by-law, the penalties provided include a maximum fine of $25,000, or imprisonment for a term not exceeding one year, or both.

Section 265 of the Criminal Code provides, in part, that a person commits an assault "when he (customer), without the consent of another person (performer), applies force intentionally to that other person, directly or indirectly".

Section 266 of the Criminal Code provides that everyone who commits an assault is guilty of:

- **(a) an indictable offence and is liable to imprisonment for a term not exceeding five years; or**
- **(b) an offence punishable on summary condition.**

Section 167 of the Criminal Code provides, in part, that it is an offence to present, give or allow an immoral, indecent or obscene performance.

Section 169 of the Criminal Code provides that everyone who commits an offence under Section 167 is guilty of:

- **(a) an indictable offence and is liable to imprisonment for a term not exceeding two years; or**
- **(b) an offence punishable on summary conviction.**

To Register Complaints please contact the Licensing Division, City Clerk's Department at (905) 546-2349.

J.J. Schatz
City Clerk
Hamilton, Ontario

FORM 6
November 1, 1995

E.(i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 13

OCT 17 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Carpet replacement, City Hall, 5th, 6th, 7th floors.

RECOMMENDATION:

That approval be given to issue a purchase order in the amount of $71,662.07 inclusive of G.S.T., ($4,688.17) to commission Twins Floor Decor of Hamilton for the replacement of carpet on the 5th, 6th, and 7th floors of City Hall, being the lowest price of four quotes received in accordance with the specifications (REF: C14-14-95) issued by the Manager of Purchasing and charged to account # CF 319541010 (Carpet Replacement City Hall).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This project is to be financed through Capital Budget Funds Account # CF 319541010 (Carpet Replacement City Hall).

BACKGROUND:

The Property Department identified that the existing carpets on the 5th,6th, and 7th floors of City Hall has surpassed its life expectancy and has become a health and safety issue due to the many potential tripping hazards that have developed in the worn carpet. Specifications were created by the Building Operations and Maintenance Division of the Property Department and tendered in accordance with the Purchasing Division August 4, 1995.

Tenders received:

Stradwicks Ltd.	$83,457.86
Terrance Webster Design	$83,622.64
Vartanians Carpet	$87,659.75

DWV/nr

c.c: J.G. Pavelka, Chief Administrative Officer
A.C. Ross, City Treasurer
M. Mascarenhas, Acting Manager of Purchasing
Att: J. Avery, Assistant Manager of Purchasing
V. Abraham, Director, Planning
Att: F. Angelici, Supervisor, Planning
T. Gill, Senior Director, Roads Deptartment
R. Swan, Manager, Building Operation and Maintenance

E.(ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 13

OCT 17 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Re-Roofing Lawfield Arena, Fleet Services Garage, Central Memorial Recreation Centre.

RECOMMENDATION:

(a) (i) That approval be given to issue a purchase order in the amount of $167,455.00 inclusive of G.S.T. $10,955.00 to commission Atlantic Roofers Ontario Ltd. of Hamilton for the replacement of the roof at Lawfield Arena, being the lowest of five quotes received in accordance with the specifications issued by the Manager of Purchasing.

(ii) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.

(b) (i) That approval be given to issue a purchase order in the amount of $105,395.00 inclusive of G.S.T. $6,895.00 to commission Atlantic Roofers Ontario Limited of Hamilton for the replacement of the roof at Fleet Services Garage being the lowest of six quotes received in accordance with the specifications issued by the Manager of Purchasing.

(ii) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.

(c) That approval be given to issue a purchase order in the amount of $81,213.00 inclusive of G.S.T. $5,313.00 to commission Atlantic Roofers Ontario Limited of Hamilton, for the replacement of the roof at Central Memorial Recreation Centre being the lowest of five quotes received in accordance with the specifications issued by the Manager of Purchasing.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This work to be funded from Capital Accounts CF 3195-41009 - Lawfield Roof Replacement and CF 3195-41009 - Major Maintenance.

BACKGROUND:

The Property Department identified that the roof system at Lawfield Arena, Central Memorial Recreation Centre and Fleet Services Garage have surpassed their life expectancy and require replacement.

In July of 1995 C.G.A. Roof Consultants were retained by Building Operations and Maintenance Division of the Property Department to develop a plan of action for the replacement of these roof systems. The plan was developed and specifications were created and these projects were tendered September 13, 1995 and closed October 11, 1995. This attached spreadsheet depicts the result of the quotation received.

DWV/ghl
attch.

cc: A. Ross, City Treasurer, Treasury Department
R. Fair, Director of Culture & Recreation
C. Guthro, Manager of Fleet Services
P. Hooker, Senior Solicitor
J. Krochak, Senior Buyer, Purchasing
R. Desnoyers, Assistant Manager, Building Operations & Maintenance

Project	Atlantic	Whiteside	Solar	Roque	A.M.Roof	B&G Roof	Trio	Bertozzi
Lawfield	$141,500.00	$186,700.00	$158,600.00	$156,900.00	no bid	no bid	$172,350.00	no bid
Conting.	$15,000.00	$15,000.00	$15,000.00	$15,000.00			$15,000.00	
Subtotal	$156,500.00	$201,700.00	$173,600.00	$171,900.00			$187,350.00	
GST	$10,955.00	$14,119.00	$12,152.00	$12,033.00			$13,114.50	
Total	$167,455.00	$215,819.00	$185,752.00	$183,933.00			$200,464.50	
Fleet Serv.	$92,500.00	$106,100.00	$99,600.00	$101,400.00	no bid	no bid	$112,127.00	$106,915.00
Conting.	$6,000.00	$6,000.00	$6,000.00	$6,000.00			$6,000.00	$6,000.00
Subtotal	$98,500.00	$112,100.00	$105,600.00	$107,400.00			$118,127.00	$112,915.00
GST	$6,895.00	$7,847.00	$7,392.00	$7,518.00			$8,268.89	$7,904.05
Total	$105,395.00	$119,947.00	$112,992.00	$114,918.00			$126,395.89	$120,819.05
cent.Mem.	$69,900.00	$85,300.00	$78,000.00	$88,700.00	no bid	no bid	$84,467.00	no bid
Conting.	$6,000.00	$6,000.00	$6,000.00	$6,000.00			$6,000.00	
Subtotal	$75,900.00	$91,300.00	$84,000.00	$94,700.00			$90,467.00	
GST	$5,313.00	$6,391.00	$5,880.00	$6,629.00			$6,332.69	
Total	$81,213.00	$97,691.00	$89,880.00	$101,329.00			$96,799.69	

E.(iii)

CITY OF HAMILTON

- RECOMMENDATION -

OCT 17

DATE: 1995 October 16

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Summers Lane Sprinkler System Replacement.

RECOMMENDATION:

That approval be given to issue a purchase order in the amount of $92,036.05 (inclusive of G.S.T. $6,021.05) to commission Troy Sprinkler of Beamsville, Ontario for the replacement of the sprinkler system on Summers Lane.

D.W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This project is to be financed through Capital Budget Funds Account #CF 3195-41001 Major Maintenance.

BACKGROUND:

In compliance with the Ministry of the Solicitor General "Office of the Fire Marshal" File Number 3209 Inspection Report dated May 20, 1994, which states that the sprinkler system along Summer's Lane restored to operating condition Fire Code Reference Number 6.5.1.2 or altering this system Fire Code Number 6.5.1.1., the Property Department decided that the system should be completely replaced.

In December of 1994 P.T. Engineering were retained by Building Operations and Maintenance Division of the Property Department to develop plans and specifications for the replacement of the Summers Lane Sprinkler System.

Once a plan was developed, specifications were created and this project was tendered September 14, 1995 and closed October 10, 1995.

There were two bids received.

Troy Sprinkler	$92.036.05
Grinnell Fire Protection	$99,553.87

DWV/ghl

cc: A. Ross, City Treasurer, Treasury Department
B. Calder, Director of Operations and Event Deliveries H.E.C.F.I
P. Baker, Manager of Parking Authority
G. Smith, Fire Chief, Fire Department
J. Krochak, Senior Buyer, Purchasing
R. Desnoyers, Assistant Manager, Building Operations & Maintenance

F.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 17

REPORT TO: S.K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng
Chief Administrative Officer

SUBJECT: **Canadian Diabetes Association of Hamilton-Wentworth**

RECOMMENDATION:

(a) That the City of Hamilton participate with the Canadian Diabetes Association of Hamilton-Wentworth, on Wednesday, November 01, 1995 from approximately 10:30 a.m. to 10:40 a.m. by letting their employees who would like to do so, to congregate on Main Street to catch the football to be kicked over the banner on Main Street, as part of the "kick off" for their Annual Campaign.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

To participate in the event, each employee would invariably require approximately 1/2 hour to leave their work area to participate in the kick-off event. During the kick-off, a number of staff would be required to remain, to respond to telephone and public inquires who come into City Hall.

BACKGROUND:

Attached, from the Canadian Diabetes Association of Hamilton-Wentworth, Ms. Camille Czepita, Corporate Donations Coordinator, is a request asking for the City of Hamilton's cooperation to participate in the "kick-off" event for their Annual Campaign.

Scheduled for Wednesday, November 01, 1995 from approximately 10:30 a.m. to 10:40 a.m., arrangements have been made for a Hamilton Tiger Cat football player to kick a football over the Canadian Diabetes Association banner on Main Street in front of City Hall. The Diabetes Association has asked for City Hall employees to participate by being on the other side of the banner to receive the football.

To carry out the event, the Diabetes Association will have to make the necessary arrangements with the Region of Hamilton-Wentworth to temporarily close Main Street between Bay Street and James Street, and with the Hamilton-Wentworth Police to deal with the traffic detours.

JGP:dd
Attach.

c.c. Mayor Robert M. Morrow
E. M. Gill, Senior Director of Roads

CANADIAN DIABETES ASSOCIATION | ASSOCIATION CANADIENNE DU DIABÈTE

October 16th, 1995

City Hall
71 Main West
Hamilton, Ontario
L8N 3T4

Attention: Joe Pavelka, Chief Administrative Officer

Dear Mr. Pavelka:

On Wednesday, November 1st, 1995 the Canadian Diabetes Association (CDA) of Hamilton Wentworth proposes to close Main Street in front of City Hall to kick off our Annual Campaign. Street closure will be for 10 minutes, from 10:30 am to 10:40 am. This has been tentatively approved by City Hall.

In November over 800 volunteers will be canvassing door to door in Hamilton-Wentworth and the surrounding areas. As part of our "kick off" we propose to have a Hamilton Tiger Cat football player kick a football over the CDA Banner on Main Street to people who represent CDA volunteers.

I am writing to request for City Hall employees to represent these 800 volunteers by standing on Main street to receive the football. Employees would be away from their desks for only 15 to 20 minutes. If this is possible it would be greatly appreciated. I will contact you in a few days to discuss this request.

Thank you,

Camille Czepita
Corporate Donations Coordinator

Hamilton & District Branch
501 Concession Street
Hamilton, Ontario L9A 1C1
(416) 385-3535 Fax (416) 385-6121

Charitable Registration #0160754-11-13

G.(i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 16

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Use of Council Chamber and Council Chamber Lobby
Fountain Foundation

RECOMMENDATION:

That approval be given to the action taken by the City Clerk in authorizing the Fountain Foundation to use the Council Chamber and Council Chamber Lobby on Friday, October 27, 1995 from 7 p.m. to 11 p.m. for a book launch and wine and cheese reception.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Fountain Foundation will be launching its new book "Downtown Hamilton: The Heart of it All" on Friday, October 27, 1995. The net proceeds from the sale of the book will go towards the restoration of the Gore Park Fountain. In addition, a portion from the sale of each book prior to Christmas, will be contributed to CHML's Christmas Tree of Hope.

The Fountain Foundation proposes to hold the book launch in the Council Chamber to be followed by a wine and cheese reception in the Council Chamber lobby area.

cc: Mayor's Office
Rob Swan, Manager, Building Operations and Maintenance Division
Information Desk

G.(ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 13

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Use of City Hall Forecourt
Dutch Tulip Celebration Garden

RECOMMENDATION:

That approval be given to the action taken by the City Clerk in authorizing the Parks Division to use the City Hall Forecourt on Wednesday, 1995 October 19 between 11:30 a.m. and 2:00 p.m. for a Planting Ceremony for a Dutch Tulip Celebration Garden.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

A Dutch Celebration Garden of 400 bulbs will be planted at City Hall on October 18. These bulbs are a gift from Mrs. Catherine Squires, a Hamiltonian who won the garden in a national contest.

The City Hall Tulip Garden is one of 200 identical gardens being planted this fall by contest winners from coast to coast as living symbols of the bond of friendship that exists between Canada and the Netherlands.

cc: Mayor's Office
R. Swan, Building Operations and Maintenance
Information Desk

G.(iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 20

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Canadian Club of Hamilton
Postcard Campaign

RECOMMENDATION:

That approval be given to the action taken by the City Clerk in authorizing the Canadian Club of Hamilton to display postcards on the second floor of City Hall from 1995 October 23 to 27 to give Hamilton residents an opportunity to sign and show their support for a united Canada prior to the October 30 Quebec referendum.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Canadian Club of Hamilton are organizing a campaign to encourage as many Hamilton residents as possible to sign poscards to show their support for a united Canada prior to the October 30 Quebec referendum. Because of the high traffic at City Hall the Club are requesting the use of the second floor foyer in order to display these postcards. The Canadian Club will then arrange to have the postcards delivered.

cc: Mayor's Office
Rob Swan, Manager, Building Operations and Maintenance Division
Information Desk

G. (iv)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 20

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Hamilton Gallery of Distinction - Purchase by the City of a table of 10 for the 1995 Induction Ceremonies and Dinner

RECOMMENDATION:

(a) That the City of Hamilton purchase a table of 10 at a cost of $600. for the 1995 Induction Ceremonies and Dinner to be held on Wednesday, 1995 November 15th at the Hamilton Convention Centre; and,

(b) That funding for this expenditure be charged to the Unclassified Account No. CH55113 24201.

Susan K. Reeder,
per
J.J. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funding for this expenditure to be financed from the Unclassified Account No. CH 55113 24201

BACKGROUND:

Since 1990, the City has supported the Hamilton Gallery of Distinction by purchasing a City of Hamilton table.

This year's Dinner will be held on Wednesday, 1995 November 15th at the Hamilton Convention Centre. The reception will be held at 6:00 o'clock p.m., followed by the dinner at 7:00 o'clock p.m.

This year's honourees are Sean O'Sullivan, Irving Zucker, Enrico Mancinelli, Jackie Washington and Dennis Whitaker.

cc A. Ross, Treasurer

H.

CITY OF HAMILTON

- INFORMATION -

DATE: 1995 October 20

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Grievance of H.P.F.F.A. Local 288 Re: H.M.R.F. Survivor Benefits (C-040-095)

BACKGROUND:

The H.P.F.F.A. filed a grievance regarding the above-captioned matter which was the subject of an arbitration award authored by Mr. John R. Dempster which was in the Association's favour.

The City successfully applied to the Divisional Court for an order quashing the Arbitrator's award.

The Association sought leave to appeal the Divisional Court's decision to the Court of Appeal.

We have now been informed by our solicitors that the Court of Appeal, in a unanimous judgement, dismissed the Association's motion for leave, with costs awarded to the City.

Our solicitors have indicated that we should expect to recover approximately $2,000 towards our legal costs of responding to the Association's motion.

This now brings closure to the litigation of this matter. Correspondence received by this office, in relation to this matter, is attached for your reference.

RM/mb
Attach.

TERS
LICITORS

STREET WEST
00
TO, ONTARIO
A M5H 1B6

ELEPHONE
368-8600
LÉCOPIEUR
360-2625
e. 137

KING OUEST
200)
TO, ONTARIO
A M5H 1B6

GENEST, Q.C.
89)

AMEK, Q.C.
C. MURRAY
ETH G. CROMPTON
R. CAMPBELL
M INNES
AS R. LEDERER
FRANK
M E. PEPALL
RUETER
BOULEAU
M J. HAYTER
G. MORNER
A. GILLESPIE
G. THOMPSON
M. NEWLAND
. SEABORN
E J. LAWFORD
T. McKINNON
ROBERTS
. BROOKS
A. HARVIE
OT BLIGHT
W. WRINTRAUB
HUTCHISON
K. BASU
EL S. SMYTH
WOOTTON
INA D. ERZETIC
A. STANTON
NIE N. WILLSON
LY T. MORRIS
RASKY
F. SOPINKA
I DAS

E L'AVOCAT-CONSEIL
D. GENEST, Q.C.
MURRAY, Q.C.

GENEST MURRAY DESBRISAY LAMEK

Direct Line/Ligne Directe:
(416) 866-2406

October 13, 1995

CONFIDENTIAL
FACSIMILE TRANSMISSION

Robert Menagh
Manager, Labour Relations
P.O. Box 40, Station A
25 Main Street West, 19th Floor
Hamilton, ON L8N 3A2

Dear Mr. Menagh:

RE: City of Hamilton ats. Hamilton Professional Fire Fighters
Re: Motion for Leave to Appeal
Our File No. 18545

John wanted me to let you know that the motion for leave to appeal to the Court of Appeal has been dismissed with costs. I am enclosing a copy of the endorsement of the panel that considered the motion for your records.

I will speak to Stanley Simpson to see whether we can agree on the costs in this matter. John suggests that $2,000.00 would be reasonable. Please call me with your instructions in that regard.

Yours very truly,

Holly Rasky
HR/dm
Encl.

McKINLAY J.A.

ORIGINAL

OCT 1 0 1995

Court of Appeal File No. m16569

COURT OF APPEAL FOR ONTARIO

B E T W E E N:

THE HAMILTON PROFESSIONAL FIRE FIGHTERS and
JOHN R. DEMPSTER

Respondents
(Moving Party)

- and -

THE CORPORATION OF THE CITY OF HAMILTON

Applicant
(Respondent on the Motion)

APPLICATION UNDER s. 2(1) of the Judicial Review Procedure Act, R.S.O. 1990, c.J.1

MOTION RECORD

STANLEY SIMPSON
Barrister and Solicitor
407-20 Hughson Street South
Hamilton, Ontario
L8N 2A1

(905) 523-7400

Solicitor for Applicant
Moving Party, The Hamilton
Professional Fire Fighters

TO: GENEST MURRAY DESBRISAY LAMEK
Barristers and Solicitors
200 - 4 King Street West
Toronto, Ontario
M5H 1B6

John C. Murray
(416) 360-2606

Solicitor for Respondent

COURT OF APPEAL FOR ONTARIO
FILED / DÉPOSÉ

SEP 12 1995 A.A.

REGISTRAR / GREFFIER
COUR D'APPEL DE L'ONTARIO

THE HAMILTON PROFESSIONAL FIRE FIGHTERS AND
JOHN R. DEMPSTER
-and-
THE CORPORATION OF THE CITY OF HAMILTON

Court of Appeal File #M16569

Oct. 11, 1995

The motion for leave is dismissed with costs.

Dink Finlayson J.A.

McKinlay J.A.

D.S. Gillese J.A.

COURT OF APPEAL FOR ONTARIO

Proceeding Commenced at Toronto

MOTION RECORD

STANLEY SIMPSON
Barrister and Solicitor
407 Hughson Street South
Hamilton, Ontario
L8N 2A1

(905) 523-7400

Solicitor for the Respondents
(Moving Party)

I.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1995 October 20th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Real Estate Division of the Property Department Services to the Region for the Third Quarter of 1995

(b) Information Report - Fire Chief and Commissioner of Human Resources - Firefighters Promotional Policy - report dated 1995 September 26

Susan K. Reeder.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

URBAN/MUNICIPAL
CA4 ON HBL A05
C51F31
1995

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

URBAN MUNICIPAL

NOV 7 1995

GOVERNMENT DOCUMENTS

Tuesday, 1995 November 7th
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder.
Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

1. **DELEGATION**

   Complaint under the Development Charges Act, 190 Limeridge Road West - W. Zimmerman, Solicitor on behalf of T. Valeri Construction Limited

   (a) Recommendation - Chairman, Development Charges Sub-Committee

2. **IN CAMERA AGENDA**

3. **CONSENT AGENDA**

4. **MAYOR ROBERT M. MORROW**

   (a) Donation of Painting - Mr. & Mrs. Allen Gould

   (b) Letter of Greeting - NHL Oldtimers Benefit Hockey Game Souvenir Program - Hamilton East Kiwanis Club - Camp Maple Leaf

5. **CHIEF ADMINISTRATIVE OFFICER**

   Architectural Division

6. **PROPERTY/TAXATION PROJECT STEERING COMMITTEE**

Property/Taxation Project

7. **DIRECTOR OF PROPERTY**

Offer to Purchase - Sale of City Property 253-257 Kenilworth Avenue North, Former Tavern to 843829 Ontario Inc. carrying on business as SD & D Construction (Tony Sciara, President)

8. **1996 - 2005 PROVISIONAL CAPITAL BUDGET PROGRAM**

(a) Property Department

(b) City Clerk's Department

(c) Capital Grants

(d) Fire Department

(e) H.E.C.F.I.

(f) Hamilton Public Library

9. **OTHER BUSINESS**

10. **ADJOURNMENT**

ZIMMERMAN & ASSOCIATES
BARRISTERS, SOLICITORS, NOTARIES

* WALDEMAR ZIMMERMAN, B.A., LL.B.
J. BARRY EAKINS, B.A., M.A., LL.B.
RICHARD F. BIALACHOWSKI, B.A., LL.B., CD

MICHAEL ZIMMERMAN, B.A., LL.B.
KAREN P. CIMBA, B.A., LL.B.
JOHN I. BARZO, B.A. (Hons.), LL.B.

ASSOCIATES: DONALD G. McLEAN, M.A., LL.B
RONALD N. McCREADIE, B.A., LL.B.

IMMIGRATION COUNSEL: GARY L. SEGAL, B.A., LL.B.

IN ASSOCIATION WITH: MUNRO & ASSOCIATES
BARRISTERS & SOLICITORS

* CERTIFIED AS A SPECIALIST IN CIVIL AND CRIMINAL LITIGATION BY THE LAW SOCIETY OF UPPER CANADA

TELEPHONE (905) 524-0231
FAX (905) 524-2023
SUITE 4201
100 MAIN STREET EAST
HAMILTON, CANADA
L8N 3W6

November 2, 1995

HAND DELIVERED

The Corporation of the
City of Hamilton
Finance and Administration
Committee
71 Main Street West
Hamilton, Ontario
L8N 3T4

Attention: Susan K. Reeder

Dear Ms. Reeder:

Re: T. Valeri Construction Limited
Development Charges Rebate
190 Limeridge Road West, Hamilton

I understand that this matter will be placed on the November 7, 1995, agenda for the consideration of the Finance and Administration Committee. In addition to our oral submissions, we have prepared a written Submissions Brief, ten copies of which are enclosed herewith.

I would very much appreciate if you could arrange to circulate the Submissions Brief amongst the members of the Committee prior to the aforesaid meeting. An additional copy of the Submissions Brief is enclosed for your reference.

Thank you for your kind cooperation and assistance throughout.

Yours sincerely,

W. Zimmerman

WZ/rj
Enc.

1. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 September 13

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: L.C. King, P.Eng.
Chairman, Development Charges Subcommittee

SUBJECT: Complaint under the Development Charges Act
190 Limeridge Road West (95.2.4.2.1.A, 95.4.2.1.A)

RECOMMENDATION:

That after hearing the evidence and submission of the complainant, Clem Valery, the Council of the Corporation of the City of Hamilton hereby confirms the development charges imposed on the property located at 190 Limeridge Road West as having been properly imposed pursuant to the City of Hamilton Development Charges By-law #90-74, as amended.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

The subject lands at 190 Limeridge Road West were developed under a building permit for the erection of an eight storey apartment building to be used for non-profit purposes. The building permit application was made on 1991 September 10 and the building permit was subsequently issued on 1992 March 24. At the time of building permit issuance, the owner, Valery Construction Limited, was required to pay city development charges of $116,231.86.

On 1992 June 30, City Council amended the Development Charges By-law #90-74, which changed the rates and payment schedule prescribed for development charges. This particular project was subject to a 40% rebate as the development charges amendment was retroactive to 1992 January 1. The Developer received a refund cheque of $46,492.74.

.../2

In 1992 September, a complaint was filed by the applicant on the basis that the subject lands were used for non-profit purposes and, therefore, should not be subject to development charges. This complaint was heard by the Finance and Administration Committee and subsequently denied by Council in 1992 October.

This new complaint was originally submitted in 1993 April and was postponed by the applicant's solicitor until 1993 October 21. At that meeting of the Finance and Administration Committee, the matter was tabled at the request of the applicant's solicitor.
This complaint has been filed on the basis that the subdivision agreement, which was on the lands, had payments which paid for services charged under the Development Charges By-law. Investigation by City staff of the discharges subdivision agreement shows that the payments made the previous owner were not for services charged under the Development Charges By-law.

The Development Charges Staff Subcommittee met and reviewed the evidence and did not support the complaint for the following reasons:

1. The existing subdivision agreement upon the lands, which has now been discharged, did not require payment for any services charged under the Development Charges By-law. Therefore, no credit is available for payments made under the discharged agreement.

2. The Developer of the lands made a previous complaint, which was denied by City Council.

3. The eight storey apartment building does create a demand for services as charged under the Development Charges By-law.

4. The Developer and complainant has already received a refund of $46,492.74 due to the by-law amendment which reduced development charges by 40% for those permits issued after 1992 January 1.

LCK/PCL/dm

c.c. - Development Charges Staff Subcommittee

4.(a.)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1995 October 19

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mayor Robert M. Morrow
City of Hamilton

SUBJECT: Donation of Painting, Mr. & Mrs. Allen Gould

RECOMMENDATION:
(a) That Council approval be given for the acceptance by the City of the donation of a painting (Untitled) by Diane Haber from the collection of Mr. and Mrs. Allen Gould of Hamilton; and,

(b) that the painting be hung on a long-term basis in the corridor area of the Studio Theatre at Hamilton Place, as the donor has requested; and,

(c) that the Treasurer issue a receipt for income tax purposes to Mr. Gould equivalent to the value of the donation.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
The valuation provided by Janet McNaught of the McNaught Gallery, Hamilton, identifies the worth of the painting at $7,500.

The City's insurance carrier may wish to note this item as inventory on the fine arts rider of the policy.

BACKGROUND:
As indicated in Appendix "A", the City was approached by Mr. Gould regarding this donation in 1994. The painting was photographed and examined by staff at his residence. At the request of Mr. Gould, Mr. Macaluso, CEO, HECFI, was contacted for his provisional agreement that the painting could be hung at Hamilton Place.

Mr. Gould was asked to ensure that the painting was suitably framed for hanging and examined by a qualified evaluator as to the monetary value of the artwork. This was done through the McNaught Gallery as noted above.

c.c. G. Macaluso, CEO, HECFI
P. Noé Johnson, City Solicitor
A. Ross, Treasurer
C. York, Arts Co-ordinator

/cdy

RECEIVED 18 OCT 1995

The McNaught Gallery

APPENDIX "A

Cheryl York
Arts co-ordinator
Department of Culture and Recreation
City of Hamilton
City Hall, 71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Ms. York;

I have examined the painting by Diane Haber, property of Mr. Alan Gould, which has been offered by donation to the city of Hamilton. The painting is an untitled acrylic on canvas, measuring approximately 7 x 72 ins., completed approximately 1975, and has been framed. The acrylic paint has been applied in a heavy texture, creating a three dimensional painted surface, a technique which is evident in other works by the artist. This is an abstract work, with an interesting pattern, which has been used as the basis for a fabric design.

I feel that this is a significant work, and based on the size, the unique quality of the design, and based on works available through the retail market by artists of similar background and training, I value this painting for the purposes of donation at $7,500.00.

Yours sincerely

Janet E McNaught

Janet E. McNaught
Gallery director

191 James Street South, Hamilton, Ontario, L8P 3A8
Phone (905) 522-7773 Fax (905) 522-9443

The PICTURE FRAME

1045 King St. W. (Westdale)
Hamilton, Ontario
L8S 1L6
(416) 523-5440

Nov.7, 1994

Dear Mayor Morrow;

Mr & Mrs Allen Gould of Milli would like to make a donation of art to the City of Hamilton. They have asked me to represent them in this donation as over the past few months I have become very familiar with the work of the artist - Diane Haber. I have inclosed biographical information on the artist.

The work that Mr and Mrs Gould would like to donate is a piece of art that has historical significance in the world of both art and fashion. This artwork was commissioned by the international known dress manufacturer Leslie Fay in 1974 and the reproductions of this art work were used in the manufacture of dresses. These designs were sold throughout the world. A first for the fashion and art industry. I have enclosed colour photos and press releases of this event.

Diane Haber is the niece of Mr Gould and they are deservedly proud of her accomplishments in the art world over the years. They would like to share this piece of art and its history with the citizens of Hamilton. Since this piece was conceived twenty years ago at the same time as Hamilton Place was opened they would like to make this donation to commemorate the 20th anniversary of Hamilton Place. Debra Vivian of Hamilton Place has seen the piece of art in question and she agrees that the style and colouration would indeed compliment the surroundings of Hamilton Place.

This piece of art is valued at $5,000.00 unframed and we would hope that the City of Hamilton would be able to issue a tax receipt to Mr Gould for this very generous donation.

For additional information on this piece of art or artist please contact me at 523-5440.

Yours truly

Shelagh Snider

Shelagh Snider

THE ARTIST

DIANE HABER

As a native of Pittsburgh, Diane Haber's love of art was fostered by her late father Dr. Harvey Haber and the wonderful collection of art that he accumulated over the years.

Diane Haber graduated with a B.F.A. from Carnegie Mellon University. To further her education she has studied with Arts Student League of New York in Paris, Germany and Canada.

Her work has been exhibited in the United States and Europe and many reputable art enthusiasts and collectors have added her work to their collections. Leslie Fay, one of the most prestigious fashion houses in the U.S., was so inspired by her paintings that they designed a group of dresses based on her paintings.

From pointillism to abstract to print making to soft romantic flowers, Diane Haber's talent and love of art has inspired the art community to call her an " artist's artist ".

AWARDS

B'nai B'rith Council of Pittsburg - First Prize
National Scholastic Art Award - First Prize - Black Ink Drawing
National Scholastic Art Award - First Prize - Oils
Hallmark Award - National Scholastic Hallmark Permanent Collection
Kauffman Award for Excellence
Three Rivers Arts Festival - Special Award - Most Original
Pittsburgh Print Group - Juror's Award

EXHIBITIONS

Three Rivers Festival
Bodley Gallery, New York, N.Y.
Adirondack Center For the Arts
Pittsburgh Print Group - 1984, 1986, 1987, 1988, 1990, 1991, 1992, 1993
Pittsburgh Center for the Arts
Johnstown Art Center - Johnstown Pa.
William Pitt Gallery - Pittsburgh
Griffith Gallery
Point To Port - Frick Fine Arts Museum at Pitt
Carson St Gallery

Phone: 683-8845
682-1855

DIANE HABER

about the artist -

As a native of Pittsburgh, Diane Haber, at age six, gave birth to her artistic talent. She discloses that this early birth is attributed to her childhood fasination with the art collection of her family's home. From crayola renderings to intricate paintings, Diane Haber gives a special kind of thanks to her late father, Dr. Harvey Haber, late husband Dr. Cyril March and an ongoing thanks to her mother Mrs. Harvey Haber for their guidance and support which has enhanced her career as an artist. Pittsburgh also plays an important role with it's beautiful people and cultural magnificence states Diane Haber.

Diane Haber graduated with a B.F.A. in fine arts from Carnegie Mellon University of Pittsburgh. She was awarded a Pittsburgh Museum Class Scholastic Scholarship and a Carnegie Mellon University Scholarship. Further education occured painting with the arts Student League of New York, Paris, Germany, Canada and others throughout the United States and Europe. Diane Haber has been a resident painter in both New York and Germany.

Throughout her stays and travels many reputable art enthusiasts and collectors discovered her talents and added her work to their collections. Many new collectors have also been added to Diane Haber's clientelle. Her work is contained in the renowned "Hallmark Permanent Collection." In fact, Diane Haber's paintings have so inspired a representative from Leslie Fay's, one of the most prestigious fashion houses in the country, that the result was a group of dresses in prints based on Diane Haber's paintings. She was commissioned by Leslie Fay Inc. and Dupont to assist in this print process.

Awards that have been bestowed upon Diane Haber include two first place awards from the B'nai B'rith National Art Association, numerous "Gold Keys", "The Ink Award," "The Kauffman's Award of Excellence", and the "National Hallmark Award" to mention a few.

Diane Haber's committment to art is apparent not only in her work and awards but also in her active involvement with the Associated Artists Workshops, Carnegie Museum Life Classes, Print Groups, and Associated Shows.

Artist friends and collectors in the United States and abroad see Diane Haber as an "artist's artist". To visit Diane Haber's North Craig Street Studio one wil be stunned: not by the smell of thinner and oil paint, but rather by the hundreds of paintings and prints that are from wall to wall ceiling to floor. In one semi-cleared corner one sees Diane Haber working to add another fine work to her already abundant reservoir which seems to have taken over this artist's life. The subjects of these paintings are those of professional artist models, friends, commissions, ideas, life surroundings and dreams, all of which are recreated with a most artistically refreshing yet imaginative flair. Truly an "artist's artist"!!!

Diane Haber's work has been exhibited at "The Bodley Gallery" in New York City, "The Adirondac Center For Art," "Three River's Art Festival," and "Chaudron Interiors Ltd." in Bethesda, Maryland, Annopolis, Maryland and MacLean, Virginia.

The University of Pittsburgh Pitt Program Council welcomes Diane Haber and her work to the William Pitt Union Art Gallery March 11-22, 1985. Won't you please join us in this welcoming Monday, March 11, 5pm - 8pm at an opening reception in her honor. Refreshments served.

Sincerely,

Dane Isaacs
William Pitt Union Art Gallery Coordinator

4.(b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 24

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mayor Robert M. Morrow

SUBJECT: LETTER OF GREETING
NHL OLDTIMERS BENEFIT HOCKEY GAME
SOUVENIR PROGRAM
HAMILTON EAST KIWANIS CLUB - CAMP MAPLE LEAF

RECOMMENDATION:

(a) That the City of Hamilton place a one page greeting from the Mayor in the NHL Oldtimers Benefit Hockey Game - 1995 October 26 - Souvenir Program at a cost not to exceed $650; and,

(b) That funds for this expenditure be provided from Account No. CH56302-12001 (Advertising and Promotion).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in the City Clerks Advertising and Promotion Account No. CH 56302-12001.

BACKGROUND:

On Sunday 1995 November 26 the Toronto NHL Oldtimers will be facing off against the Buffalo Sabres Oldtimers at Copps Coliseum in a benefit game for the Hamilton East Kiwanis Camp Maple Leaf, a camp for underprivileged children

Mr. Gary Udell of Camp Maple Leaf has contacted my office requesting a letter of greeting in the Souvenir Program along with the financial support for this full page of $650.

The City Clerk has advised me that sufficient funds are available in the Departments Advertising and Promotions account for this expenditure.

RMM/KC/pb.

cc: J. Schatz, City Clerk
Ald. Don Ross

5.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 13

REPORT TO: S.K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng
Chief Administrative Officer

SUBJECT: **Architectural Division**

RECOMMENDATION:

(a) That the following two positions be transferred from the Property Department to the Culture and Recreation Department effective Monday, November 20, 1995.

1 Senior Project Manager
1 Administrative Assistant

(b) That the following three positions be transferred from the Property Department to the Building Department effective Monday, November 20, 1995.

1 Manager
1 Senior Project Manager
1 Architectural Support Technician

(c) That all 5 of these positions being relocated have their present responsibilities merged with the additional responsibilities in their new portfolios and that new job descriptions be created and evaluated by January 31, 1996.

(d) That the responsibility for design and implementation of Barrier Free Improvements to Culture and Recreation Facilities be the responsibility of the staff resident in the Culture and Recreation Department.

(e) That the responsibility for the design and implementation of Barrier Free Improvements to the balance of the Corporation buildings be the responsibility of the staff resident in the Building Department.

(f) That the capital funding for Architectural Division fees (project management) in the capital projects already in progress be left in place until December 31, 1995.

(g) That the City's Capital Budget Sub-Committee review these Capital Projects to determine how much capital funding can be returned to its original source of funding.

(h) That Architectural Division fees continue to be capitalized and charged to Capital Projects up to and including 1995 December 31, following which date, project management fees will be funded entirely through the operating budget.

(i) That the gross cost estimates for Capital Projects being resubmitted into the 1996-2005 Capital Budget Program, be adjusted to exclude estimated funding of $2,758,710. for Architectural Division fees (project management).

(j) That the Treasurer be directed to establish the annualized base for the 2 staff being transferred to the Culture and Recreation Department and for the 3 staff being transferred to the Building Department, effective January 1, 1996.

BACKGROUND:

City Council at its meeting on Tuesday, September 26, 1995 approved the following resolution:

(a) That the Line Department Heads be responsible for the entire capital project, including budget and reporting accountability, to the appropriate Standing Committee and Council including all phases of any project:

- initiation
- feasibility studies
- cost/benefit scenario including grants and subsidies
- preliminary design
- detailed design
- tendering
- construction

(b) That the Architectural Division in the Property Department be discontinued; and,

(c) That the City of Hamilton retain its existing staff to provide Project Management; and,

(d) That the Treasurer be directed to establish annualized bases for the 5 staff at an estimated amount of $240,000; and,

(e) That staff be allocated to the Culture and Recreation Department to undertake project management of Culture and Recreation projects and other responsibilities as assigned; and,

(f) That staff be allocated to the Building Department to undertake project management for the organization and to assume other responsibilities as assigned; and,

(g) That the Director of Culture and Recreation and the Building Commissioner review the workloads and advise the Committee on which staff should be assigned to which Department with the appropriate annualized base; and,

(h) That the Barrier Free Design and Implementation be resident in the Culture and Recreation Department; and,

(i) That the City's Capital Budget Subcommittee establish requirements and criteria for proposed buildings and facilities.

DISCUSSION:

The following Department Heads have met to discuss the workload of the five staff in the Architectural Division of the Property Department and believe the reallocation of staff as recommended administratively addresses the City's best interests.

- Director of Property
- Director of Culture & Recreation
- Building Commissioner

A. Barrie Free Improvements

With 2 staff assigned to the Culture and Recreation Department and 3 staff assigned to the Building Department there is an imbalance in the work load if the design and implementation of Barrier Free Improvements is left centralized with one of the two groups. Therefore, to more evenly spread the work load out between the two groups, it is envisioned that the Barrier Free Improvements to Culture and Recreation Facilities be the responsibility of the staff resident in the Culture and Recreation Department. Similarly the design and implementation of Barrier Free Improvements to the balance of the Corporation's buildings be the responsibility of the staff resident in the Building Department.

To ensure consistency of design and standards, representatives from both the Culture and Recreation Department and the Building Department are to attend the Barrier Free Design Subcommittee (a subcommittee of Regional Advisory Centre for Persons with Physical Disabilities).

B. Capital Projects in Progress

Table A lists the Capital Projects already in progress. For each project also listed are the estimated architectural fees spent to date and the fees remaining.

For the projects in progress, it is our recommendation that they be completed and that the fees from the Capital Project accounts continue to be charged to the project until December 31, 1995 and any unused funding upon project completion be returned to its original source of financing.

Consequently, there are approximately $499,460. in unspent fees for project management to complete those Capital Projects in progress.

C. Capital Projects - Not Yet Started

Table B lists those Capital Projects not yet started. For these Projects $2,758,710. has been established for the Architectural Division's fees.

It is our recommendation that the fees of $2,758,710. be removed from the Capital Projects on the understanding that the current budget will be established to provide for the project management of these Capital Projects.

Consequently, when the provision for the 5 staff at an estimated cost of $240,000. is provided for in the current budget, either $2,758,710. can be deleted from the Capital Program or alternatively $2,758,710. in additional Capital Projects can be added to the Capital Program.

D. Staff Complement

Previously, the Architectural Division had 7 staff. One of the Project Managers temporarily took another position in the Culture and Recreation Department. A second project manager was terminated to reduce the staff complement in this division to 5.

Despite one of the Project Managers taking on a temporary relocation in the Culture and Recreation Department, the base salaries for two Project Managers was dropped from the Architectural Division's budget.

It is encouraged that the Project Manager in the Culture and Recreation Department can be fully employed in this department. This Project Manager brings a skill set that is needed in the Culture and Recreation Department, and there is sufficient work on capital projects and Barrier Free Projects that will be available to keep her fully employed.

Consequently, during an upcoming reorganization of the Department, provision will be made for this position at no increase to complement in the Culture and Recreation Department.

JGP:dd
Attach.

c.c. D. W. Vyce, Director of Property
R. Fair, Director, Culture and Recreation Department
L. King, Building Commissioner
A. Ross, Treasurer

TABLE A
CAPITAL PROJECTS IN PROGRESS

Existing Capital Projects to be Transferred from the Property Department – Architectural Division

Project Description	Capital Centre No.	Authorized Gross Cost	Estimated Architectural Division Fees		Stage of Completion	Receiving Department
			Spent To Date	Unspent		
Major Upgrade of City Hall – Needs Study	319055004	100,000	4,086.71	37,910	PL	Building
Barrier Free Design Access – Recreation Buildings	329341009	294,000	23,798.49	22,600	PL	C & R
Barrier Free Design Access Study – All City Owned Buildings	329341012	100,000	20,220.13	59,680	PL	Building
Barrier Free Design Access – Recreation Buildings	329441016	394,000	13,228.56	18,290	PL	C & R
Barrier Free Design Access Study – City Owned Buildings (Pilot Project – City Hall)	329441017	300,000	1,336.68	22,660	PL	Building
Barrier Free Design Access – Recreation Buildings	809453003	268,000	0.00	20,790	PL	C & R
Barrier Free Design Access – Recreation Buildings	809453004	188,000	888.39	14,860	PL	C & R
Barrier Free Design Access – City Owned Buildings	809453005	2,900,000	25,837.50	219,860	PL	Building
Traffic Operations Centre**	758841001	6,109,970	133,711.67	(16,210)	W	Building
West Mountain Twin Pad Arena**	709041012	9,874,260	348,305.45	(19,010)	W	C & R
Sackville Hill Seniors' Centre**	709041013	3,766,520	173,424.29	(720)	W	C & R
Office Renovations – Treasury**	319141005	471,840 *	41,011.38	(19,210)	CN	Building
Hamilton Tennis Club Building Replacement***	709141006	638,460	141,840.98	(23,540)	W	C & R
Huntington Park Renovations	709141016	3,385,000	169,690.24	15,310	W	C & R
Construction Of Computer Room – City Hall	329241002	628,590	61,024.07	580	W/CN	Building
Concession Branch Library	919241005	1,924,000	63,523.60	2,460	W	Building
Firehall No. 4 (Fennell & Upper Sherman)	489241009	3,080,260	84,513.42	50,400	W	Building
Ferguson Yard Staff Building Renovations	609341013	107,000	10,571.63	0	W	Building
Riverdale Recreation Centre – Design	709441021	458,000	42,359.18	0	PL	C & R
Renovate Parkdale Arena	709441023	2,000,000	43,873.77	46,130	CN	C & R
Renovate Inch Park Arena	709441024	2,000,000	42,831.18	47,170	CN	C & R
Ivor Wynn Stadium – Addition to Press Boxes**	809453007	2,673,050	67,555.83	(550)	CN	C & R
Total		41,660,950	1,513,633.15	499,460		

PL = Planning
W = Warranty
CN = Construction

Notes:

*authorized gross project cost of $421,840 plus an additional $50,000 approved for security improvements (latter approved by Council 28 June 1994; funding to come from CF 319141003 & CF 319141004)

**for projects showing a negative unspent balance for AD Fees, it is felt at this time by staff that there will be sufficient funding within the overall project to cover these amounts; with respect to the Twin Pad Arena project, this assumes that amounts for AD fees will no longer be charged to capital projects after December 31, 1995

***as per Council direction, no staff time has been charged to this project since January 1, 1995

TABLE B
CAPITAL PROJECTS NOT YET STARTED

Architectural Division Fee Estimates for Capital Projects Being Resubmitted for the 1996 – 2005 Capital Budget Program

Project Description	Start Year	Estimated Gross Cost (incl. AD Fee)	Estimated Architectural Division Fee	Estimated Gross Cost (excl. AD Fee)	Client Department
Major Accommodation Refurbishings – City Hall	2000	4,500,000	219,600	4,280,400	Property
Fire Station No. 8 (Woodward & Melvyn) – Design & Construction	1997	2,469,000	132,830	2,336,170	Fire
Ray Street Fire Station – Design & Construction	1999	2,546,000	136,980	2,409,020	Fire
Fire Station No. 9 (Kenilworth Ave.) – Design & Construction	2003	3,300,000	177,540	3,122,460	Fire
Hamilton Aquatic Centre – Feasibility Study & Construction	2003	19,388,000	849,190	18,538,810	C & R
Coronation Arena & Outdoor Pool Retrofit – Study & Construction	1995	2,400,000	129,120	2,270,880	C & R
Dalewood Recreation Centre Retofit – Study, Design & Construction	1998	3,163,000	170,170	2,992,830	C & R
Eastwood Arena Retofit – Study, Design & Construction	1998	2,667,000	143,490	2,523,510	C & R
Westmount Recreation Centre Retofit – Study, Design & Construction	2004	3,904,000	210,040	3,693,960	C & R
Hamilton East Kiwanis Boys & Girls Club	2004	7,014,000	342,280	6,671,720	C & R
Ivor Wynn Stadium – Renovations & Repairs	1996	150,000	16,500	133,500	C & R
Central Libraray Renovations (Phase II) – Design & Construction	1996	470,000	28,200	441,800	Library
South West Mountain Branch Library – Design & Construction	2004	3,769,000	202,770	3,566,230	Library
Total		55,740,000	2,758,710	52,981,290	

Note: all figures based on the 1995 – 2004 Capital Budget Program

6.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 30

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Property/Taxation Project Steering Committee

SUBJECT: Property/Taxation Project

RECOMMENDATION:

a) That staff be authorized to participate with Scarborough and Mississauga in a joint request for proposals to evaluate the availability of packaged property tax systems on the open market or otherwise issue a request for proposals for a packaged property tax system.

b) That staff report back to the Finance and Administration Committee regarding the findings of the request for proposals, and recommendations concerning the future direction for property/taxation system development.

Allan C. Ross

J. Hindson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

None at this time. If the results of the Request for Proposal are favourable, they may ultimately result in the acquisition of a packaged property tax system, with reduced acquisition and operating costs.

BACKGROUND:

City Council in 1990 approved the development and implementation by Treasury and Information Systems of a property/taxation system, at an estimated cost of $1,040,000 plus accrued interest on the reserve funding. This funding was supplemental to staff resources to be supplied by Information Systems. The purpose of the project was to replace an aging property/taxation system which was installed in 1973 and thereby negate a business risk of a systems' failure.
An additional $300,000 for the project was approved in the 1995 Capital Budget. A series of status reports have been submitted to the Finance and Administration Committee since the original approval of the project.

Packaged Property Tax Systems

We have learned that there are presently two other municipalities (Mississauga and Scarborough) that are actively seeking to update and improve their property tax systems. This could allow the possibility of the City of Hamilton participating with these or other municipalities in a joint proposal call for a new tax system. Possible benefits to such a joint call could be:

- a faster Request For Proposals (RFP) process;
- the maximization of vendor leverage;
- minimize vendor resources which would be required to respond to multiple cities RFPs.
- minimization of purchasing and legal efforts; and
- the flexibility for each municipality to select the system that best meets their needs.

Given the prospect of potentially reducing the cost of acquiring a packaged property/tax system and/or reduced cost through a joint proposal with Mississauga and Scarborough and the significant changes that have occurred in our organization and elsewhere, we believe that these possibilities should be explored.

It is therefore recommended that staff be authorized to explore the potential through a joint venture proposal call with Scarborough and Mississauga or otherwise call for proposals independently to determine if there would be a packaged solution available that could lead to lower installation and operating costs.

Project Status to Date:

Since the property taxation project was approved, considerable progress has been made on its development. Major milestones completed to date include:

- The implementation of a Monthly Automatic Payment Plan (MAPP) for automatic tax payment withdrawals for residential and commercial properties. This system has been one of the most successful of any such systems in the country, and presently has more than 18,000 properties enrolled. In addition to the customer service improvements which were the primary focus of this system, MAPP has contributed to a reduction in

staff overtime during peak instalment payment periods by spreading the payment receipts throughout the year.

- An Appeals Module was developed and implemented to meet the new Provincial Regulations. This module has allowed for streamlined processing of appeals by staff and has been beneficial in business tax collection efforts. This improvement has allowed staff effort with a value of approximately $50,000 per year to be transferred from appeals processing to enhanced in-house collection efforts which have contributed positively to our recent reduction in outstanding business tax arrears.
- A Business Model setting out the needs and requirements of the system.
- A Property/Taxation Data Model and Process Model that represent extensive and detailed documentation of the Property Tax System.
- The installation of relational database software on the mainframe.
- A Taxation system Process model required for the evaluation process.
- A conversion plan and specifications for the conversion of assessment information and the current taxes receivable.
- A new tax bill format has been introduced.
- Rationalization of all tax bills. This will result in a 60% reduction in the number of tax forms (from 8 to 3).

Since the inception of this project, the Municipal Government sector has undergone major changes. The impact of the 1992 Social Contract coupled with the City's rightsizing, and early retirements have had a profound impact on the Information Systems and Treasury Departments. Several experienced staff have been lost, primarily through the early retirement program. Additional workloads have been placed on the remaining staff, including a requirement to reassign experienced staff back to other areas temporarily to support legislative changes in other systems (e.g. Parking Violations) which has resulted in a reduction in time available for this project.

Project delays have been experienced due to the size and complexity of the specifications for the system, integration problems with hardware and software systems, reduced vendor support and the lack of direct previous experience with the new software and database products.

Although these problems can be overcome, and the system completed, the projected completion time required would be from 24 to 36 months from now. This would be for a base system, which would overcome the major problems with the existing system, but with similar functionality to the present system. A number of the enhancement-type features requested to provide improved efficiencies and customer service would remain to be completed after that date.

Approximately $454,000 is projected to be remaining and available to complete the property tax system development/acquisition. It is forecast that the necessary costs for contract staffing and external purchase requirements for the base system could be accommodated within the available project budget. The Information Systems and Treasury current budgets over the period would provide necessary funding for full-time staff participation in the project, as has been the case for the project to-date.

Changed Conditions

At the time of the project's inception, two of the basic factors associated with the project were: that there were no viable software packages available externally that met the City's needs; and, that due to the size and complexity of the tax system, it would require a mainframe computing environment that would also be required for the foreseeable future to operate and support other large systems.

These conditions have changed. Based upon a preliminary review and discussions with possible suppliers and other municipalities, it appears that new, highly functional tax systems either may now be available, or are being developed by a number of software suppliers. This opens the possibility of purchasing a packaged system from an external supplier.

The outlook for future systems operations has also changed, both within and outside of the City of Hamilton. Due to initiatives in department restructuring, process re-engineering, and recent advances in technology that have reduced computer costs, the forecast is that several large systems may not require a mainframe environment within the next five year period. These systems include the Financial and Social Services systems, and parts of the Human Resources system. If these systems are removed from the mainframe then the mainframe environment will become less viable in terms of minimizing long term operating costs. The possibility of being able to operate the tax system on a less expensive computer, combined with savings for other applications should be seriously considered.

This proposed course of action has been reviewed by the Property/Taxation Project Steering Committee resulting in the recommendations noted in this report.

c.c. Alderman Bob Charters, Alderman, Ward 6
J.G. Pavelka, P.Eng., Chief Administrative Officer
V.J. Abraham, M.C.I.P., Director of Local Planning

CITY OF HAMILTON

- RECOMMENDATION -

7.

OCT 30 1995

DATE: 1995 October 30

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Offer to Purchase - Sale of City Property
253-257 Kenilworth Avenue North, Former Tavern
to 843829 Ontario Inc., carrying on business as
SD & D Construction (Tony Sciara, President)

RECOMMENDATION:

(a) That an Offer to Purchase Agreement, duly executed by 843829 Ontario Inc., carrying on business as SD & D Construction (Tony Sciara, President) on 1995 October 23 and scheduled to close on or before 1996 April 30, for the lands municipally described as 253-257 Kenilworth Avenue North, being Lots 45, 46 and 47, Block W, Registered Plan No. 395, Hamilton, having a frontage of 22.86 metres (75.0 feet) more or less, along the west side of Kenilworth Avenue North and a depth of 30.48 metres (100 feet) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $85,000., less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $4,250. be held by the City Treasurer pending Council approval; and,

(c) That upon successful completion of this sale, a real estate commission of 5% on the $85,000. sale price be paid to HomeLife/State Realty Limited (Sales Representative Joseph Gamero), who acted in this matter; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(e) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(i) satisfactory notice has been given to the public of the intended sale;

(ii) an appraisal of the fair market value of the real property intended to be sold was obtained on 1995 September 29 and received on 1995 November 7;

(iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The sum of $85,000, less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases).

BACKGROUND:

The subject property was advertised for public sale on 1994 June 28 due to 3 or more years of realty tax arrears. The accumulated taxes then were $152,063.16. As no bids were received, under the Municipal Tax Sale Act 1984, the ownership vested with the City. The City registered a Notice of Vesting/Statutory Declaration on 1994 July 14 at the Land Registry Office. Responsibility for the disposition of the property was subsequently referred to the Real Estate Division of the Property Department.

The property was listed for sale on the MLS system of the Hamilton Real Estate Board in 1994. A City of Hamilton "For Sale" sign was affixed to the building in early 1995. Most recently, on 1995 October 21, the property along with other City owned properties, was advertised for sale in the Hamilton Spectator.

The building on the property is a part one storey and part two storey, brick and block structure. The original 2 storey building constructed of brick walls, poured concrete foundation and basement walls and wood floor/roof structure, was built in the 1930's. The second floor has an apartment and several rooms, in poor condition. In 1973, a concrete block one storey addition with concrete and steel floor/roof structure was constructed, thereby expanding the tavern. The first floor was known as the "Kenilworth House" for many years and more recently as the "Golden Bell Tavern". It too is in poor condition, particularly that area damaged by water from a leaking roof. The building has deteriorated during the last couple years that it has been vacant and unheated. Substantial capital investment is required to renovate the facility in order to make it operational again.

The property contains asbestos and this fact has been disclosed in the Offer to Purchase. The Offer also contains a condition that the Purchaser acknowledges and agrees that there are no warranties and/or representations by the Vendor (City) and the property is being purchased on an "as is" basis.

The property is zoned "H/S-837" Commercial. Special Provision No. 837 has the effect of prohibiting an automobile service station, a public garage and a car lot.

The Offer to Purchase is conditional upon the Purchaser obtaining approval within 60 days to redevelop the property. The Purchaser has advised through his agent, that he intends to redevelop the property, which may involve partial or complete demolition of the existing structure and new construction, for the purpose of continuing a similar use (tavern). The proposed building would be no larger than the existing building.

In compliance with the Real Property Sales Procedural By-law No. 95-049, I am reporting to your Committee:

(a) On 1995 March 14, City Council approved Item 6 of the 8th Report of the Finance and Administration Committee declaring the subject lands surplus to the requirements of the City;

(b) that in accordance with the approved methods of Notice to the Public in Real Property Sales Procedural By-law 95-049, the Director of Property has placed a "For Sale" sign on the subject property which included the City's name and telephone number in March, 1995 after Council declared the property surplus, to inform the public that the City intends to sell the said subject land;

(c) the offered price of the subject land is $5,000 lower than the range of value which has been determined through an appraisal of the subject's fair market value. Nevertheless, staff recommends the offer be accepted by Committee and Council for the following reasons:

  (i) the offered price is just 5.5% lower than the appraised value;

  (ii) the property is in very poor condition and renovation costs are difficult to estimate;

  (iii) the building contains Asbestos which has to be properly dealt with;

  (iv) it will be several months before the tavern will be operational again;

  (v) there is some risk as to what level of municipal parking will remain available in the area for tavern customers; and,

(vi) The property has been for sale for over 20 months,

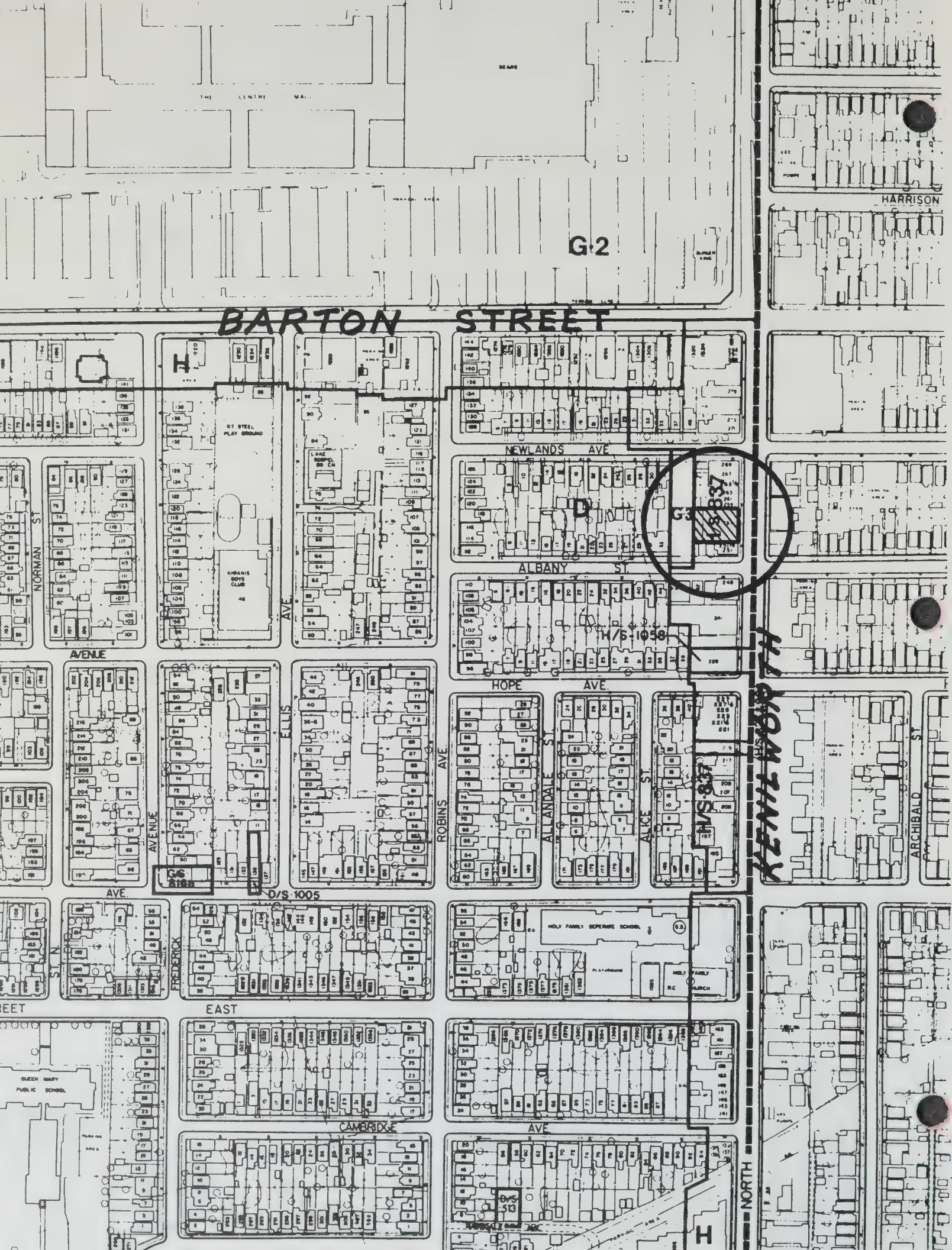
KDA/hew

c.c. P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

C. Bandurka, Property Clerk, Surveys

R. Swan, Manager, Building Operations and Maintenance Division


G-2
BARTON STREET
HARRISON
NEWLANDS AVE
ALBANY ST
HOPE AVE
H/S-1058
H/S-837
KENILWORTH
NORMAN ST
AVENUE
ELLIS AVE
ROBINS AVE
ALLANDALE ST
ALICE ST
ARCHIBALD ST
D/S 1005
FREDERICK
EAST
CAMBRIDGE
NORTH
D
G3
H

8. (a)

CITY OF HAMILTON

- RECOMMENDATION -

95 10 13

DATE: 1995 October 13

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Property Department
1996 - 2005 Provisional Capital Budget Program

RECOMMENDATION:

a) That the attached capital projects from the Property Department be considered for inclusion in the ten year 1996-2005 Provisional Capital Budget Program; and,

b) That these capital projects be reviewed by the Management Team (Capital Budget Sub-Committee) for consideration by the Committee of the Whole and City Council.

D.W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

To be reviewed by the Management Team (Capital Budget Sub-Committee).

BACKGROUND:

The Property Department's 1996 - 2005 Provisional Capital Budget Program consists of 47 individual capital projects; 43 resubmissions and 4 new projects (see attached Appendix "A"). All Project Submission Forms have been prepared based on the existing Capital Budget guidelines developed and approved by City Council over the past several years.

The proposed program currently represents a $1,316,000. decrease in net capital expenditure requirements over the 1995-2004 Capital Budget Program, as shown on the following page.

Year	Approved 1995-2004 Program ($000's)	Proposed 1996-2005 Program ($000's)	Increase/ (Decrease) ($000's)
1995	4,386	0	(4,386)
1996	2,734	3,507	773
1997	1,653	1,504	(149)
1998	2,658	2,320	(338)
1999	1,740	2,790	1,050
2000	4,233	7,785	3,552
2001	5,407	3,926	(1,481)
2002	2,716	1,210	(1,506)
2003	1,897	1,646	(251)
2004	1,370	1,370	0
2005	0	1,420	1,420
TOTALS	28,794	27,478	(1,316)

The $1,316,000. decrease in anticipated capital expenditure requirements can be summarized as follows:

1) Deletion of 1995 projects from the ten year program -$4,386,000

2) Changes introduced prior to the year 2000 +1,336,000
(see attached Appendix "B")

- increases are attributable to both the advancement of projects deferred by the Management Team under the existing program, as well as the priority assigned both departmentally and corporately to the maintenance of existing buildings and equipment

3) Changes introduced after 1999 but prior to the year 2005 + 314,000
(see attached Appendix "C")

- increases are attributable to the inclusion of new projects

4) Addition of capital expenditure requirements for the year 2005 (see attached Appendix "C") +1,420,000

-$1,316,000

JC/dcr
attch.

c.c. Allan C. Ross, Treasurer
Attention: N. Adhya
M. Watson, Manager, Real Estate Division
R. Martiniuk, Manager, Architectural Division
R. Swan, Manager, Building Operations & Maintenance Division
R. Desnoyers, Assistant Manager Building Operations & Maintenance Division
J. Cerio, Manager of Administration, Property Department

PROPERTY DEPARTMENT

1996 – 2005 PROVISIONAL CAPITAL BUDGET PROGRAM

Projects Ranked in Departmental Priority Order

	Priority Number	Project Name	Gross Cost*	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
R	1.0	Major Maintenance – Civic Buildings	841,000	841,000	*Increased from $500,000*								
R	2.0	C.U.P. – Various Capital Replacements/Revisions & New Equipment	200,000	200,000	*Increased from $80,000*								
R	3.0	Energy Management Projects	111,000	111,000	*Increased from $100,000*								
R	4.0	C.U.P. – Building Automation System Upgrade (Phase I)	120,000	120,000	*Reduced from $149,000*								
R	5.0	Central Memorial – Mechanical/Electrical Upgrade	145,000	145,000	*Advanced from 1998*								
R	6.0	West Ave. School – Retrofit Heating System	198,000	198,000	*Increased from $164,000*								
R	7.0	Market/Library – Reroofing (Phase II)	578,000	578,000									
R	8.0	Convert A/C Equipment from CFC–11 to SUVA–123	500,000	158,000	171,000	171,000							
R	9.0	Copps Coliseum – Major Overhaul of Refrigeration & Air Conditioning Equip't	228,000	228,000									
R	10.0	City Hall – Replacement of Existing Chillers & Associated Equipment	340,000	340,000									
R	11.0	Dundurn Castle – Hot Water Boiler System Renovations	126,000	126,000									
R	12.0	Hamilton Public Library – Fire Panel/Public Address System Replacement	169,000	169,000									
R	13.0	Balfour Estate – Building Envelope Restoration	193,000	193,000	*Returned from 1998*								
R	14.0	Provision for Sprinkler System – City Buildings	2,470,000	50,000		700,000	800,000		920,000				
R	15.0	Accommodation Requirements – City Hall	50,000	50,000	*Advanced from 1997 and amount reduced from $100,000*								
R	16.0	Major Maintenance – Civic Buildings	6,500,000		500,000	600,000	600,000	700,000	700,000	800,000	800,000	900,000	900,000
R	17.0	C.U.P. – Various Capital Replacements/Revisions & New Equipment	920,000		80,000	90,000	90,000	100,000	100,000	110,000	110,000	120,000	120,000
R	18.0	Energy Management Projects	2,050,000		100,000	100,000	200,000	200,000	250,000	250,000	300,000	300,000	350,000
R	19.0	Hill Park Pool – Mechanical/Electrical Refurbishing	289,000		289,000								
R	20.0	City Hall – Replacement of Boilers	145,000		145,000								
R	21.0	McNab Recreation Centre – Replacement of Roof	169,000		169,000								
R	22.0	Accommodation Requirements – City Hall	450,000		50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
R	23.0	MacNab St. Truck Tunnel – Ramp Heating	68,000			68,000							
R	24.0	Central Fire – Mechanical/Electrical Refurbishing	241,000			241,000							
R	25.0	Property Purchases – General	300,000			300,000							
R	26.0	West Ave. School – Replacement of Roof	166,000				166,000	*Returned from 2002 and amount increased from $106,000*					
R	27.0	Bennetto Recreation Centre – Replacement of Roof	116,000				116,000	*Returned from 2002*					
R	28.0	Dalewood Recreation Centre – Replacement of Roof	97,000				97,000	*Returned from 2002*					
R	29.0	Churchill Recreation Centre – Mechanical/Electrical Upgrade	203,000				203,000	*Returned from 2002*					
R	30.0	Dalewood Recreation Centre – Mechanical/Electrical Upgrade	251,000				251,000	*Returned from 2002*					
R	31.0	Library/Market – Boiler Retrofit	217,000				217,000	*Returned from 2001*					
N	32.0	C.U.P. – Building Automation System Upgrade (Phase II)	1,300,000					1,300,000					
R	33.0	Major Accommodation Refurbishings – City Hall	4,500,000					3,000,000	1,500,000				
N	34.0	City Hall – Replacement of Roof (Phase II)	500,000					500,000					
R	35.0	Laurier District Centre – Mechanical/Electrical Refurbishing	299,000					299,000	*Returned from 2001*				
R	36.0	Laurier District Centre – Replacement of Roof	116,000					116,000					
R	37.0	Westmount Recreation Centre – Mechanical/Electrical Upgrade	145,000					145,000	*Returned from 2001*				
R	38.0	Lawfield Arena – Mechanical/Electrical Upgrade	386,000					386,000	*Returned from 2002*				
R	39.0	Football Hall of Fame – Mechanical/Electrical Retrofit	251,000					251,000	*Returned from 2003*				
R	40.0	Mountain Arena – Mechanical/Electrical Upgrade	347,000					347,000	*Returned from 2002*				
R	41.0	Westmount Recreation Centre – Replacement of Roof	116,000					116,000					

PROPERTY DEPARTMENT

1996 – 2005 PROVISIONAL CAPITAL BUDGET PROGRAM

Projects Ranked in Departmental Priority Order

	Priority Number	Project Name	Gross Cost*	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
I	42.0	Copps Coliseum – Steam to Hot Water Conversion (Phase II)	125,000					125,000					
I	43.0	125 Barton Street – Window Replacement	150,000					150,000					
I	44.0	Ryerson Recreation Centre – Replacement of Roof	116,000						116,000				
R	45.0	Hill Park Recreation Centre – Replacement of Roof	97,000						97,000				
R	46.0	Kenilworth Composite Building – Mechanical/Electrical Retrofit	193,000						193,000				
R	47.0	Rosedale Arena – Mechanical/Electrical Upgrade	386,000								386,000		
		Totals	**27,478,000**	**3,507,000**	**1,504,000**	**2,320,000**	**2,790,000**	**7,785,000**	**3,926,000**	**1,210,000**	**1,646,000**	**1,370,000**	**1,420,000**
		% of Total 10 Year Program	**100.00%**	**12.76%**	**5.47%**	**8.44%**	**10.15%**	**28.33%**	**14.29%**	**4.40%**	**5.99%**	**4.99%**	**5.17%**

LEGEND: N = New Submission || R = Resubmission

Gross Cost amount is net of GST rebate/ITC

Annual Increase/(Decrease) For Period 1996 – 2005 Over Last Year's Program												
Totals from 1996 – 2005 Proposed Capital Budget Program	27,478,000	3,507,000	1,504,000	2,320,000	2,790,000	7,785,000	3,926,000	1,210,000	1,646,000	1,370,000	1,420,000
Less: Totals from 1995 – 2004 Approved Capital Budget Program	24,408,000	2,734,000	1,653,000	2,658,000	1,740,000	4,233,000	5,407,000	2,716,000	1,897,000	1,370,000	N/A
Increase/(Decrease)	3,070,000	773,000	(149,000)	(338,000)	1,050,000	3,552,000	(1,481,000)	(1,506,000)	(251,000)	0	1,420,000
	5 Year Trade–off Amount Required (Gross)				1,336,000						

Total Ten Year Program Increase/(Decrease): 1996 – 2005 Over 1995 – 2004	
1996 – 2005 Proposed Capital Budget Program	27,478,000
Less: 1995 – 2004 Approved Capital Budget Program	28,794,000
Increase/(Decrease)	(1,316,000)

Information Breakdown By Submission Type		
Resubmissions:		
# Projects	43	91.49%
$ Totals	25,403,000	92.45%
New Submissions:		
# Projects	4	8.51%
$ Totals	2,075,000	7.55%

PROPERTY DEPARTMENT

1996 – 2005 PROVISIONAL CAPITAL BUDGET PROGRAM

Changes Introduced Prior to yr. 2000:

Submission Priority Number	Project Name	Change Code *	1996	1997	1998	1999	Total	Notes
1.0	Major Maintenance – Civic Buildings	I	341,000				341,000	reflects specific project spending requirements
2.0	C.U.P. – Various Capital Replacements/Revisions & New Equip.	I	120,000				120,000	reflects specific project spending requirements
3.0	Energy Management Projects	I	11,000				11,000	reflects specific project spending requirements
4.0	C.U.P. – Building Automation System Upgrade (Phase I)	R	(29,000)				(29,000)	revised estimate
5.0	Central Memorial – Mechanical/Electrical Upgrade	A	145,000		(145,000)		0	reflects consultant's recommendations
6.0	West Ave. School – Retrofit Heating System	I	34,000				34,000	reflects consultant's recommendations
13.0	Balfour Estate – Building Envelope Restoration	A	193,000		(193,000)		0	reflects department's original recommendation
15.0	Accommodation Requirements – City Hall	A, R	50,000	(100,000)			(50,000)	reflects anticipated spending requirements
22.0	Accommodation Requirements – City Hall	R	(50,000)				(50,000)	1996 amount assigned to submission #15.0
26.0	West Ave. School – Replacement of Roof	A, I				166,000	166,000	from 2002; reflects department's original recommendation consultant recommended additional repairs
27.0	Bennetto Recreation Centre – Replacement of Roof	A				116,000	116,000	from 2002; reflects department's original recommendation
28.0	Dalewood Recreation Centre – Replacement of Roof	A				97,000	97,000	from 2002; reflects department's original recommendation
29.0	Churchill Recreation Centre – Mechanical/Electrical Upgrade	A				203,000	203,000	from 2002; reflects department's original recommendation
30.0	Dalewood Recreation Centre – Mechanical/Electrical Upgrade	A				251,000	251,000	from 2002; reflects department's original recommendation
31.0	Library/Market – Boiler Retrofit	A				217,000	217,000	from 2001; reflects department's original recommendation
(1)	Chedoke Golf Clubhouse – Reroofing	X	(42,000)				(42,000)	responsibility transferred to C & R as per Council direction
(2)	Hamilton Place – Pump Replacement	X		(49,000)			(49,000)	tsf'ed to C.U.P. Allowance Listing; estimate revised downward
			773,000	(149,000)	(338,000)	1,050,000	1,336,000	

Recommended Trade–offs: (not reflected in submissions)

Submission Priority Number	Project Name	Change Code *	1996	1997	1998	1999	Total	Notes
14.0	Provision for Sprinkler System – City Hall					800,000	800,000	move 1999 work out one year to 2000
22.0	Accommodation Requirements – City Hall			50,000		50,000	100,000	reduce funding for Accommodation Requirements
25.0	Property Purchases – General				300,000		300,000	delay funding increase to Reserve for Property Purchases to 2000
	Other City Projects		773,000	(199,000)	(638,000)	200,000	136,000	
			773,000	(149,000)	(338,000)	1,050,000	1,336,000	

*** Change Code Legend:**

N = New Project || **X** = Deleted Project || **A** = Advanced || **D** = Deferred || **I** = Increased Cost || **R** = Reduced Cost

(1) project number 21.0 from 1995 – 2004 Capital Budget Program
(2) project number 38.0 from 1995 – 2004 Capital Budget Program

PROPERTY DEPARTMENT

1996 – 2005 PROVISIONAL CAPITAL BUDGET PROGRAM

Changes Introduced After 1999:

Submission Priority Number	Project Name	Change Code *	2000	2001	2002	2003	2004	SubTotal	2005	Total	Notes
16.0	Major Maintenance – Civic Buildings	N						0	900,000	900,000	Allowance extended into yr. 2005
17.0	C.U.P. – Various Capital Replacements/Revisions & New Equipment	N						0	120,000	120,000	Allowance extended into yr. 2005
18.0	Energy Management Projects	N						0	350,000	350,000	Allowance extended into yr. 2005
22.0	Accommodation Requirements – City Hall	N						0	50,000	50,000	Allowance extended into yr. 2005
26.0	West Ave. School – Replacement of Roof	A, I			(106,000)			(106,000)		(106,000)	to 1999; reflects department's original recommendation
27.0	Bennetto Recreation Centre – Replacement of Roof	A			(116,000)			(116,000)		(116,000)	to 1999; reflects department's original recommendation
28.0	Dalewood Recreation Centre – Replacement of Roof	A			(97,000)			(97,000)		(97,000)	to 1999; reflects department's original recommendation
29.0	Churchill Recreation Centre – Mechanical/Electrical Upgrade	A			(203,000)			(203,000)		(203,000)	to 1999; reflects department's original recommendation
30.0	Dalewood Recreation Centre – Mechanical/Electrical Upgrade	A			(251,000)			(251,000)		(251,000)	to 1999; reflects department's original recommendation
31.0	Library/Market – Boiler Retrofit	A		(217,000)				(217,000)		(217,000)	to 1999; reflects department's original recommendation
32.0	C.U.P. – Building Automation System Upgrade (Phase II)	N	1,300,000					1,300,000		1,300,000	New project
33.0	Major Accommodation Refurbishings – City Hall	I, R	49,000	(49,000)				0		0	reflects department's original estimates
34.0	City Hall – Replacement of Roof (Phase II)	N	500,000					500,000		500,000	New project
35.0	Laurier District Centre – Mechanical/Electrical Refurbishing	A	299,000	(299,000)				0		0	reflects department's original recommendation
37.0	Westmount Recreation Centre – Mechanical/Electrical Upgrade	A	145,000	(145,000)				0		0	reflects department's original recommendation
38.0	Lawfield Arena – Mechanical/Electrical Upgrade	A	386,000		(386,000)			0		0	reflects department's original recommendation
39.0	Football Hall of Fame – Mechanical/Electrical Retrofit	A	251,000			(251,000)		0		0	reflects department's original recommendation
40.0	Mountain Arena – Mechanical/Electrical Upgrade	A	347,000		(347,000)			0		0	reflects department's original recommendation
42.0	Copps Coliseum – Steam to Hot Water Conversion (Phase II)	N	125,000					125,000		125,000	New project
43.0	125 Barton Street – Window Replacement	N	150,000					150,000		150,000	New project
(1)	Chedoke Golf Clubhouse/Pumphouse – Refurbish/Retrofit Building Systems	X		(771,000)				(771,000)		(771,000)	responsibility transferred to C & R as per Council direction
			3,552,000	(1,481,000)	(1,506,000)	(251,000)	0	314,000	1,420,000	1,734,000	

*** Change Code Legend:**

N = New Project || X = Deleted Project || A = Advanced || D = Deferred || I = Increased Cost || R = Reduced Cost

(1) project number 50.0 from 1995 – 2004 Capital Budget Program

8. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 1 NOV 1 1995

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: S. G. Hollowell
Acting City Clerk

SUBJECT: City Clerk's Department
1996-2005 Provisional Capital Budget Program

RECOMMENDATION:

a) That the attached capital project from the City Clerk's Department in the amount of $550,000. be considered for inclusion in the ten year 1996-2005 Provisional Capital Budget Program; and,

b) That this capital project be reviewed by the Management Team (Capital Budget Sub-Committee) for consideration by the Committee of the Whole and City Council.

S. G. Hollowell

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

To be reviewed by the Management Team (Capital Budget Sub-Committee).

BACKGROUND:

This capital project is in response to the request of the Finance and Administration Committee for the Votamatic Election System to be replaced with an Optical Scan Voting System that utilizes a paper ballot. We will be reporting back following our investigation into the best system to recommend for the 1997 municipal election.

The Corporation of the City of Hamilton

1996–2005 Capital Budget Program

Schedule "A"

Projects By Department

(Thousands of Dollars)

First Draft

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT START	PROJECT FINISH	GROSS COST	RECEIPTS SUBSIDY	NET FINANCING 1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	NATURE OF FUNDING	ANNUAL DEBT CHARGES	ANNUAL OPERATING COST
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
	City Clerk																		
4.0	CLERK ELECTION SYSTEM		1996	1997	550		550												
	Sub–total City Clerk	*(NET CITY COSTS – 550)*			550	0	550	0	0	0	0	0	0	0	0	0		0	0

8.(c.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 31

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. K. Beattie
Grants Co-ordinator

SUBJECT: 1996-2005 Capital Grant Submission

RECOMMENDATION:

The Grants Process Group has met and respectfully requests:

a) that the attached Capital Grant submission be considered for inclusion in the ten year 1996-2005 Provisional Capital Budget, and

b) that this Capital project be reviewed by the Management Team (Capital Budget Sub-committee) for consideration of the Committee of the Whole and Council.

D Kevin Beattie

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

To be reviewed by the Management Team (Capital Budget Sub-committee).

BACKGROUND:

The Grant Policy states that a Capital Grant Submission may be submitted requesting up to $100,000 maximum per year provision. The 1991-2000 Capital Budget approved $100,000 in funding in 1991. During the allocation of the 1995 General Grants, there were $34,900 in approved Capital Grants which in part depleted the original $100,000 provision (approximately $30,000 of the 1995 Capital Grants was financed from the Reserve for Contingency). This Capital Grant submission will restore a funding base for consideration of future Capital Grant requests.

The Corporation of the City of Hamilton

PROJECT NUMBER _____
(Treasury to complete)

1996-2005 CAPITAL BUDGET
INDIVIDUAL CAPITAL PROJECT SUBMISSION FORM

1. DEPARTMENT/LOCAL BOARD: GRANTS

2. PROJECT NAME: CAPITAL GRANTS

3. DETAILED DESCRIPTION, STATING PURPOSE, TYPE OF PROJECT, LOCATION, ETC.:
PROVISION FOR CAPITAL GRANT REQUESTS AS PROVIDED FOR WITHIN THE GRANTS POLICY.

4. DEPARTMENT PRIORITY ORDER: 1

5. PROJECT JUSTIFICATION:

(a)	STRATEGIC DIRECTION (Image of the City, Quality of Life, Transportation)	YES
(b)	HEALTH/SAFETY/ENVIRONMENT	NO
(c)	LEGISLATED BY SENIOR LEVELS OF GOVERNMENT	NO
(d)	NEEDS ANALYSIS (Demand, Equitable, Cost/Benefit, Pay back period)	NO
(e)	ECONOMIC DEVELOPMENT	YES
(f)	MAINTAIN EXISTING SERVICE (Roads, Buildings, Other basic infrastructure)	NO
(g)	REDUCE ONGOING COST (Staffing and/or Operating Costs)	NO
(h)	GROWTH RELATED PROJECT	NO

Describe project justification from the above perspective:

6. FEASIBILITY STUDY:

(a)	START DATE (MONTH-YEAR):	N/A
(b)	COMPLETION DATE (MONTH-YEAR)	
(c)	GROSS COST (Rounded to Nearest Thousand Dollars)	$

7. (a) PROJECT STARTING DATE (MONTH-YEAR): 04/96
(b) PROJECT FINISHING DATE (MONTH-YEAR): 03/05

8. (a) GROSS COST OF PROJECT In Year-of-Start Dollars: $ 250,000
(Rounded to Nearest Thousand Dollars)

(b) LESS PROVINCIAL SUBSIDIES:
(Identify nature of Subsidy NIL
and describe) _____
_____
_____
_____ $ NIL

(c) LESS OTHER RECEIPTS (Specify): NONE
_____
_____ $ NIL

(d) NET CITY'S COST: $ 250,000

9. YEAR OF EXPENDITURE (Rounded to nearest thousands of dollars):

- 1996	$ 50,000	- 2001	$
- 1997	$	- 2002	$ 50,000
- 1998	$ 50,000	- 2003	$
- 1999	$	- 2004	$ 50,000
- 2000	$ 50,000	- 2005	$

10. ADDITIONAL ANNUAL OPERATING COST IN CURRENT BUDGET:

(a) FIRST YEAR - DATE (MONTH-YEAR) NIL
(b) COSTS (Specify items)
_____ $ _____
_____ $ _____
_____ $ _____

GROSS COST (All Inclusive) $ NIL

(c) LESS RECOVERY/REVENUE (specify) $ NIL

(d) NET CITY'S COST $ NIL

(e) FOLLOWING YEAR - DATE (MONTH-YEAR) N/A

(f) GROSS COST (All Inclusive) $ NIL

_____ $ _____
_____ $ _____
_____ $ _____

(g) LESS RECOVERY/REVENUE (specify) $ _____

(h) NET CITY'S COST $ NIL

NOTE: *Provide details of project costs under Section 8 and annual operating under Section 10 above. Also include programming costs, utilities, building and ground maintenance expenses, and all administrative costs under Section 10.*

11. CAPITAL AND OPERATING ESTIMATE PREPARED BY:

(a) PROPERTY DEPARTMENT - ARCHITECTURAL DIVISION

No X Yes ___ _____

If yes, signature of Manager of Architectural Division

(b) If no, the basis of assumptions THIS PROGRAM IS TO PROVIDE CAPITAL FUNDING FOR EXTERNAL NON-PROFIT ORGANIZATIONS

12. EFFECT OF REDUCTION IN COST, DELAY OR ELIMINATION OF THIS PROJECT:

THE PREVIOUS PROVISION OF $100,000 WHICH WAS APPROVED AS PART OF THE 1991-2000 CAPITAL BUDGET HAS BEEN DEPLETED IN 1995. WITHOUT FURTHER FUNDING, CAPITAL GRANTS REQUESTS FROM EXTERNAL NON-PROFIT GROUPS WOULD BE DENIED DUE TO THE LACK OF FUNDING.

13. WAS THIS PROJECT IN LAST YEAR'S APPROVED CAPITAL BUDGET?

No X Yes ___; if yes,

(a) PROJECT NO. (1995-2004 Capital Budget) _____

(b) AT CITY'S COST OF $_____

(c) SCHEDULED TO START IN THE YEAR _____

D Kevin Bartlett Oct 23/95

Signature of Department Head/ Local Board Manager *Date*

14. *FUNDING (Treasury Department To Complete):*

(a) NATURE OF PROPOSED FINANCING: _____

(b) RESERVE/CAPITAL LEVY FUNDING AVAILABLE:

Yes ___ *No* ___

(c) IF DEBENTURE FINANCING:

(i) ANNUAL DEBENTURE FINANCING COST: $ _____

(ii) TOTAL CARRYING COST OF RETIRING DEBT: $ _____

NOTE: Estimates of all building related projects and the related operating cost must be provided by the Architectural Division, Property Department.

8.(d.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 25

REPORT TO: Mrs. S. Reeder, Secretary
Finance and Administration Committee

FROM: G. H. Smith
Fire Chief

SUBJECT: Fire Department
1996 - 2005 Provisional Capital Budget

RECOMMENDATION:

a) That the attached list of capital projects from the Fire Department be considered for inclusion in the ten year 1996-2005 Provisional Capital Budget, and

b) That these capital projects be reviewed by the Management Team (Capital Budget Sub-Committee) for consideration of the Committee of the Whole and City Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

To be reviewed by the Management Team.

BACKGROUND:

Departmental Overview

The attached Capital Budget Submission Forms have been prepared based on the guidelines developed and approved by City Council over the last three years including the current year.

The proposed 1996-2005 Capital Budget currently represents an $8,227,000 increase in net cost over the 1995-2004 Capital Budget noted as follows:

NET CAPITAL BUDGET BY YEAR

	Approved 1995-2004 Capital Budget ($000's)	Proposed 1996-2005 Capital Budget ($000's)	Over/(Under) ($000's)
1995	0	0	0
1996	420	1,817	1,397
1997	403	2,446	2,043
1998	2,172	1,870	(302)
1999	306	373	67
2000	0	360	360
2001	2,240	2,872	632
2002	0	1,250	1,250
2003	1,300	1,208	(92)
2004	2,000	3,672	1,672
2005	0	1,200	1,200
TOTALS	$ 8,841	$ 17,068	$ 8,227

GHS/rdj

FIRE DEPARTMENT

1996 – 2005 PROVISIONAL CAPITAL BUDGET

Projects Ranked in Departmental Priority Order

New Project	Priority Number	Project Name	Gross Cost	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
	1	Public Safety Trunking Radio	420,000	420,000									
N	2	Vehicle / Apparatus Replacement –1996	1,200,000	1,200,000									
	3	Fire Station – Woodward & Melvin Design & Construction	2,379,000	197,000	2,182,000	Advanced from 1997 / 8							
N	4	Vehicle / Apparatus Replacement –1997 – 2005	6,462,000		169,000	1,870,000	160,000	360,000	454,000	1,250,000	935,000	515,000	749,000
	5	Second Apparatus Door – Two Station	95,000		95,000								
	6	Fire Station – Ray Street – Design	213,000				213,000						
	7	Fire Station – Ray Street – Construction	2,418,000						2,418,000				
	8	Fire Station – Kenilworth Avenue Design & Construction	3,430,000								273,000	3,157,000	
	9	Indoor Training Facility – Design	451,000										451,000
		Totals	17,068,000	1,817,000	2,446,000	1,870,000	373,000	360,000	2,872,000	1,250,000	1,208,000	3,672,000	1,200,000

8.(e.)

MEMO TO: Mrs. Susan Reeder, Secretary
FINANCE AND ADMINISTRATION COMMITTEE

FROM: Patricia Bennett, Secretary
H.E.C.F.I.

DATE: October 31, 1995

SUBJECT: **1996 - 2005 PROVISIONAL CAPITAL BUDGET**
The Hamilton Entertainment and Convention Facilities Inc.

RECOMMENDATION:

THAT THE ATTACHED CAPITAL PROJECTS OF THE HAMILTON ENTERTAINMENT AND CONVENTION FACILITIES INC. (HECFI) BE CONSIDERED FOR INCLUSION IN THE TEN YEAR 1996 - 2005 PROVISIONAL CAPITAL BUDGET; and

THAT THESE CAPITAL PROJECTS BE REVIEWED BY THE MANAGEMENT TEAM (CAPITAL BUDGET SUB-COMMITTEE) FOR CONSIDERATION OF THE COMMITTEE OF THE WHOLE AND COUNCIL; and

THAT H.E.C.F.I.'S TEN YEAR (1996 - 2005) PROVISIONAL CAPITAL BUDGET PROGRAMME BE FINANCED FROM H.E.C.F.I.'S RESERVE FOR CAPITAL PROJECTS, HAMILTON PLACE TICKET SURCHARGE RESERVE AND COPPS COLISEUM TICKET SURCHARGE RESERVE; and

THAT THE FUTURE IMPLEMENTATION OF CAPITAL PROJECTS BE CONTINGENT ON THE AVAILABILITY OF CONTINUED FUNDING FROM H.E.C.F.I.'S CAPITAL RESERVES (as outlined above).

BACKGROUND:

- The H.E.C.F.I. Board of Directors approved the foregoing recommendation at its Regular Meeting held October 27, 1995.

Respectfully submitted,

Patricia Bennett
Legislative Assistant

HAMILTON ENTERTAINMENT AND CONVENTION FACILITIES INC. ~ ~ 1996 TO 2005 CAPITAL BUDGET PROGRAMME

Project Description	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Replacements and Renovations for Facilities and Equipment		160	370	300	250	230	200	180	300	300-New
Hamilton Convention Centre:										
~Replacements and Renovations for Facilities and Equipment	120									
~Roofing System Replacement		355								
~Refurbish Beverage Areas		100								
~Carpet Replacement								325-New		
Hamilton Place:										
~Replacements and Renovations for Facilities and Equipment	130									
~Great Hall Seating Replacement		300	240-Delayed One Year							
~Carpet Replacement			200							
Copps Coliseum:										
~Replacements and Renovations for Facilities and Equipment	130									
~Carpet/Replacement Flooring	60				200					
~Modify and Refurbish Exterior Electronic Sign			100-Delayed One Year							
Corporate:										
~ FMS	70-Revised									
TOTAL REQUEST	510	915	910	300	450	230	200	505	300	300
Approved 1995 to 2004	620	1,000	900	625	500	230	200	180	300	0
Over (Under) Approved	(110)	(85)	10	(325)	(50)	0	0	325	0	300

8.(f.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 1

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

NOV 3 1995

FROM: Ken Roberts
Chief Executive Officer, Hamilton Public Library

SUBJECT: 1996-2005 Capital Budget

RECOMMENDATION:

a) That the attached capital projects for the Hamilton Public Library Board be considered for inclusion in the ten year 1996-2005 Provisional Capital Budget; and

b) That these capital projects be reviewed by the Management Team (Capital Budget Sub-Committee) for consideration by the Committee of the Whole and City Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

To be reviewed by the Management Team (Capital Budget Sub-Committee).

BACKGROUND:

The attached capital projects have been approved by the Hamilton Public Library Board for submission to City Council to be considered for inclusion in the ten year 1996-2005 Provisional Capital Budget.

The Corporation of the City of Hamilton

1996–2005 Capital Budget Program

Schedule "A"

Projects By Department

(Thousands of Dollars)

First Draft

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT START	PROJECT FINISH	GROSS COST	RECEIPTS SUBSIDY	NET FINANCING 1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	NATURE OF FUNDING	ANNUAL DEBT CHARGES	ANNUAL OPERATING COST
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
	Hamilton Public Library																		
187.1	HPL	WESTDALE BRANCH LIBRARY – DESIGN PHASE	1996	1996	61		61										RES–L		
187.2	HPL	WESTDALE BRANCH LIBRARY	1997	1997	491			491											
188.1	HPL	BARTON BRANCH LIBRARY – DESIGN PHASE	1997	1997	37			37									RES–L		
188.2	HPL	BARTON BRANCH LIBRARY	1998	1998	298				298										
189.0	HPL	CENTRAL LIBRARY RENOVATIONS – DESIGN PHASE	1996	1996	70		70										RCP–L		
190.0	HPL	CENTRAL LIBRARY RENOVATIONS – CONSTRUCTION PHASE	1997	1998	557			557											
191.0	HPL	NEW BRANCH LIBRARY – SOUTH MOUNTAIN – DESIGN PHASE	2004	2004	328										328				
192.0	HPL	NEW BRANCH LIBRARY–SOUTH MOUNTAIN–CONSTRUCTION PHASE	2005	2006	3,047											3,047			238
193.0	HPL	NEW BRANCH LIBRARY–SOUTH MOUNTAIN–COLLECTION DEVELOPME	2004	2006	3,311										3,311				
194.1	HPL	LIBRARY MATERIALS – UPGRADING OF COLLECTIONS	1997	1997	143			143											
194.2	HPL	LIBRARY MATERIALS – UPGRADING OF COLLECTIONS	2000	2000	172						172								
194.3	HPL	LIBRARY MATERIALS – UPGRADING OF COLLECTIONS	2003	2003	196									196					
195.0	HPL	MUNICIPAL ARCHIVES – DESIGN PHASE	2004	2004	1,107										1,107				
196.0	HPL	MUNICIPAL ARCHIVES – CONSTRUCTION PHASE	2005	2006	11,507											11,507			1,538
	Sub–total Hamilton Public library	*(NET CITY COSTS – 21,325)*			21,325	0	131	1,228	298	0	172	0	0	196	4,746	14,554		0	1,776

3.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 November 7th
1:30 o'clock p.m.
Room 233, City Hall

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

(i) Minutes of the regular meeting held on Tuesday, 1995 October 24th

(ii) Minutes of the Special meeting held on Tuesday, 1995 October 31st

(iii) Minutes of the Joint meeting of the Parks and Recreation Committee and the Finance and Administration Committee held on Tuesday, 1995 October 31st

B. TREASURER

(i) Authorization to enter into Extension Agreements on Specific Properties for the Payment of Realty Tax Arrears

(ii) Financing of Inch Park/Parkdale Arena Renovations/Additions/Fire and Safety Upgrades

C. CITY SOLICITOR

1994 Debenture Projects

D. DIRECTOR OF PROPERTY

(i) Renewal of Lease of Parking Lot Owned by Theatre Aquarius Inc. for the Hamilton Parking Authority

(ii) Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property

E. CITY CLERK

(i) Use of Council Chambers - Book Launch

(ii) Use of Forecourt - Ontario Social Justice Coalition Rally

F. **REFERRAL FROM REGIONAL COUNCIL**

Second Level Lodging Home By-law (to be referred to staff for a report back)

G. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Information Items

A. (i)

Tuesday 1995 October 24
1:30 o'clock p.m.
Room 233, City Hall

The Finance and Administration Committee met.

Present: Alderman B. Charters, Chairman
Mayor R. M. Morrow
Alderman M. Kiss
Alderman V. J. Agro
Alderman D. Wilson
Alderman T. Anderson
Alderman C. Collins

Regrets: Alderman D. Ross, Vice-Chairman - Regional business
Alderman D. Drury - Regional business

Also Present: Alderman W. McCulloch
J. G. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
D. Vyce, Director of Property
C. Firth-Eagland, Acting Commissioner of Public Works and Traffic
D. Farquhar, Public Works and Traffic
P. Baker, General Manager, Parking Authority
R. Sabo, Law
S. Hollowell, Acting City Clerk
J. Johnston, Commissioner of Human Resources
M. Watson, Real Estate
L. King, Building Commissioner
K. Beattie, Treasury
B. Desnoyers, Property
Susan K. Reeder, Secretary

A G E N D A

1. DELEGATIONS

(a) North End Childrens' Centre - use of property at 1314 Main Street East

Ms. Gwenneth Cook and Mr. Monahan of the North End Children's Centre Inc. spoke to the Committee to request that the City allow them to use the property at 1314 Main Street East for their Thrift Shop Program.

Following discussion on this matter, the Committee agreed that this request should be received and forwarded to staff for a report back to its next meeting on the costs that would be involved.

(b) John Sit, and Solicitor, Hanrahan's Tavern - Lap Dancing

Mr. Sit, and his Solicitor, Louis Freid spoke to the Committee about their concerns in the recently approved resolution on lap dancing. Mr. Freid gave reference to their written submission dated 1995 October 18th. Mr. Freid asked that the City wait until Divisional Court has made its ruling, before they pass the By-law. He added that approval of the by-law will result in a loss of revenue to Hanrahan's Tavern.

Some discussion ensued, and the Committee agreed to refer this matter to the Licensing Committee.

2. **MAYOR ROBERT M. MORROW - Delegation - Hosting request - International Liszt Festival - 1996 October 24 - 27**

The Committee was in receipt of a report from the Mayor dated 1995 October 18, respecting the above noted matter.

Dr. Walker and Rev. Csaba Baksa were in attendance and spoke to the Committee regarding their request for assistance.

Dr. Walker indicated that the funds being requested will be used to pay for the hiring of the Hamilton Philharmonic Orchestra to play for a Festival event. Rev. Baksa spoke to the Committee about the number of international dignitaries that will be attending this Festival.

The Committee approved the following:

(a) That the City of Hamilton provide a grant in the amount of $12,000. to the International Liszt Festival for the hosting of this event to be held in Hamilton from 1996 October 24 to October 27; and,

(b) That funds be provided from the 1996 Special Civic Receptions and Delegate Hostings Account No. CH 54314 84010.

Note: Alderman Anderson opposed.

3. **IN CAMERA AGENDA**

The Committee moved to an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved into Regular Session, and approved the following:

AA. **CITY SOLICITOR AND COMMISSIONER OF PUBLIC WORKS AND TRAFFIC - City of Hamilton -ats- Pancucci; Ontario Court (General Division) Action #7369/94**

(a) That the City resolve Ontario Court (General Division) Action # 7369/94 by the payment to the Plaintiffs, Rosaria, Guiseppe and Sonya Pancucci of the sum of $8,300., inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 7369/94 be dismissed without costs.

BB. **CITY SOLICITOR AND TREASURER - City of Hamilton v. Stemar Management Limited; 51 Keefer Court; Ontario Court (General Division) File No. 9662/95**

(a) That the City accept the offer of the Defendant, Stemar Management Limited, to settle Ontario Court (General Division) Action No. 9662/95 by payment to the City of $40,708.46; and,

(b) That the Mayor and City Clerk be authorized to sign and seal a Release in favour of Stemar Management Limited and North American Trust Company; and,

(c) That Ontario Court (General Division) Action No. 9662/95 be dismissed without costs.

CC. CITY SOLICITOR

(i) City of Hamilton and McKinney v. Johnstone and McCoy Foundry Ltd; Ontario Court (General Division) Action No. 19876/90

(a) That the City agree to settle Ontario Court (General Division) Action No. 19876/90 by the payment to the City, by the Defendants, of the sum of $25,781.55, inclusive of all claims for pre-judgement interest and cost; and,

(b) That the Mayor and City Clerk be authorized to sign a Full and Final Release in respect of this claim in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 19866/90 be dismissed without costs.

(ii) City of Hamilton v. Ontario Land Corporation; Ontario Court (General Division) Action No. 4843/88

(a) That the City agree to settle Ontario Court (General Division) Action # 4843/88 by accepting from the Defendant, Ontario Land Corporation, the sum of $80,265.50, inclusive of all claims for damages, interest and costs; and,

(b) That the Mayor and City Clerk be authorized to execute a Full and Final Release in this matter in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 4843/88 be dismissed without costs.

4. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1995 October 3rd, and approved these minutes as circulated.

B. TREASURER

(i) Funding - Financing the City's share of relocating catch basin cost on Lot 52 in Trenholme Survey

The Committee was in receipt of a report from the Treasurer dated 1995 October 11, respecting the above noted matter and approved the following:

That as referred to in Section 15 of the Eighteenth Report for 1995 of the Planning and Development Committee adopted by City Council at its meeting held Tuesday, 1995 September 26th, the City's share of relocating the catch basin on Lot 52 in Trenholme Survey from its present location to the south east corner of the back yard at an estimated cost of $1,500., be financed from the Account Centre No. CH 00107 -Reserve for Services Through Unsubdivided Lands.

(ii) **Reallocation of funds within the two Infrastructure Projects - Sidewalk and Road Reconstruction**

The Committee was in receipt of a report from the Treasurer dated 1995 October 13, respecting the above noted matter and approved the following:

That the City Solicitor be authorized to amend By-Law Nos. 94-135 and 95-18 as follows:

By-Law No.	Project No.	Description	Authorized Cost	Federal & Provincial Subsidy	Debenture Amount
94-135	M1610107	Roadway & Sidewalk Reconstruction	$3,800,000.	$2,533,333.	$1,266,667.
		Requested Decrease	(190,300.)	(126,867.)	(63,433.)
			$3,609,700.	$2,406,466.	$1,203,234.
95-18	M1610108	Additional Sidewalk Reconstruction	$491,917.	$327,944.	$163,973.
		Requested Increase	190,300.	126,867.	63,433.
			$682,217.	$454,811.	$227,406.

C. **ACTING COMMISSIONER OF PUBLIC WORKS AND TRAFFIC - Replacement of One (1) 20 Yard Refuse Packer - Unit 9129, Fleet Services**

The Committee was in receipt of a report from the Acting Commissioner of Public Works and Traffic dated 1995 October 13, respecting the above noted matter.

The Committee approved the following:

That a purchase order be issued to Carrier Truck Centre, Brantford, in the amount of $117,760., including all applicable taxes, for the replacement of one (1) Refuse Packer unit #9129 for Fleet Services, being the lowest of six tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X504 00101.

D. **CITY SOLICITOR - By-law to amend By-Law 79-144 - Adult Entertainment Parlour**

The Committee was in receipt of a report from the City Solicitor dated 1995 October 13, respecting the above noted matter.

The Committee directed that the By-law to amend Adult Entertainment Parlours By-law No. 79-144 respecting Lap Dancing, attached to the report, be forwarded to City Council for enactment.

E. DIRECTOR OF PROPERTY

(i) Carpet Replacement City Hall, 5th, 6th, 7th Floors

The Committee was in receipt of a report from the Director of Property dated 1995 October 13, respecting the above noted matter and approved the following:

That approval be given to issue a purchase order in the amount of $71,662.07, inclusive of G.S.T. ($4,688.17), to commission Twins Floor Decor of Hamilton for the replacement of carpet on the 5th, 6th, and 7th floors of City Hall, being the lowest price of four quotes received in accordance with the specifications (REF: C14-14-95) issued by the Manager of Purchasing and charged to Account # CF 319541010 (Carpet Replacement City Hall).

(ii) Re-roofing Lawfield Arena, Fleet Services Garage, Central Memorial Recreation Centre

The Committee was in receipt of a report from the Director of Property dated 1995 October 13, respecting the above noted matter and approved the following:

(a) (i) That approval be given to issue a purchase order in the amount of $167,455., inclusive of G.S.T. $10,955., to commission Atlantic Roofers Ontario Ltd. of Hamilton for the replacement of the roof at Lawfield Arena, being the lowest of five quotes received in accordance with the specifications issued by the Manager of Purchasing; and,

(ii) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor; and,

(b) (i) That approval be given to issue a purchase order in the amount of $105,395., inclusive of G.S.T. $6,895., to commission Atlantic Roofers Ontario Limited of Hamilton for the replacement of the roof at Fleet Services Garage being the lowest of six quotes received in accordance with the specifications issued by the Manager of Purchasing; and,

(ii) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor; and,

(c) That approval be given to issue a purchase order in the amount of $81,213., inclusive of G.S.T. $5,313., to commission Atlantic Roofers Ontario Limited of Hamilton, for the replacement of the roof at Central Memorial Recreation Centre being the lowest of five quotes received in accordance with the specifications issued by the Manager of Purchasing.

(iii) Summers Lane Sprinkler System Replacement

The Committee was in receipt of a report from the Director of Property dated 1995 October 16, respecting the above noted matter and approved the following:

> That approval be given to issue a purchase order in the amount of $92,036.05 (inclusive of G.S.T. $6,021.05) to commission Troy Sprinkler of Beamsville, Ontario for the replacement of the sprinkler system on Summers Lane.

F. CHIEF ADMINISTRATIVE OFFICER - Canadian Diabetes Association of Hamilton-Wentworth

The Committee was in receipt of a report from the Chief Administrative Officer dated 1995 October 17, respecting the above noted matter.

The Committee approved the following:

> That the City of Hamilton participate with the Canadian Diabetes Association of Hamilton-Wentworth, on Wednesday, November 1, 1995 from approximately 10:30 o'clock a.m. to 10:40 o'clock a.m. by letting their employees who would like to do so, to congregate on Main Street to catch the football to be kicked over the banner on Main Street, as part of the "kick off" for their Annual Campaign.

G. CITY CLERK

(i) Use of Council Chamber and Council Chamber Lobby - Fountain Foundation

The Committee was in receipt of a report from the City Clerk dated 1995 October 16, respecting the above noted matter and approved the following:

> That approval be given to the action taken by the City Clerk in authorizing the Fountain Foundation to use the Council Chamber and Council Chamber Lobby on Friday, 1995 October 27, from 7:00 o'clock p.m. to 11:00 o'clock p.m. for a book launch and wine and cheese reception.

(ii) Use of City Hall Forecourt - Dutch Tulip Celebration Garden

The Committee was in receipt of a report from the City Clerk dated 1995 October 13, respecting the above noted matter and approved the following:

> That approval be given to the action taken by the City Clerk in authorizing the Parks Division to use the City Hall Forecourt on Wednesday, 1995 October 19 between 11:30 o'clock a.m. and 2:00 o'clock p.m. for a Planting Ceremony for a Dutch Tulip Celebration Garden.

(iii) **Canadian Club of Hamilton - Postcard Campaign**

The Committee was in receipt of a report from the City Clerk dated 1995 October 20, respecting the above noted matter and approved the following:

That approval be given to the action taken by the City Clerk in authorizing the Canadian Club of Hamilton to display postcards on the second floor of City Hall from 1995 October 23 to 27 to give Hamilton residents an opportunity to sign and show their support for a united Canada prior to the October 30 Quebec referendum.

(iv) **Hamilton Gallery of Distinction - Purchase by the City of a table for the 1995 Induction Ceremonies and Dinner**

The Committee was in receipt of a report from the City Clerk dated 1995 October 20, respecting the above noted matter and approved the following:

(a) That the City of Hamilton purchase a table of 10 at a cost of $600. for the 1995 Hamilton Gallery of Distinction Induction Ceremonies and Dinner to be held on Wednesday, 1995 November 15 at the Hamilton Convention Centre; and,

(b) That funding for this expenditure be charged to the Unclassified Account No. CH 55113 24201.

H. COMMISSIONER OF HUMAN RESOURCES - Information Report - Grievance of H.P.F.F.A. Local 288 re: H.M.R.F. Survivor Benefits

The Committee was in receipt of an Information Report from the Commissioner of Human Resources dated 1995 October 20, respecting the above noted matter, and agreed to receive this document for information purposes.

I. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items

The Committee was in receipt of an Information Report from the Secretary of the Finance and Administration Committee dated 1995 October 20, respecting the above noted matter and approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Real Estate Division of the Property Department Services to the Region for the Third Quarter of 1995

(b) Information Report - Fire Chief and Commissioner of Human Resources - Firefighters Promotional Policy - report dated 1995 September 26

5. CORRESPONDENCE - REGIONAL COUNCIL - Request from Regional Council - Proposed Inclusion of the City of Hamilton to be a component of a Regional bid to accommodate a Provincial Casino.

The Committee was in receipt of correspondence from the Regional Chairman dated 1995 October 4, respecting the above noted matter.

Following some discussion on this matter, the Committee agreed to receive this correspondence.

Mayor Morrow spoke to this issue, and it was moved by Mayor Morrow, seconded by Alderman Agro to refer this matter to City Council for consideration. **Motion Lost.**

Mayor Morrow advised the Committee that he would raise this matter at a future Committee of the Whole meeting.

6. CHIEF ADMINISTRATIVE OFFICER - The Learning Partnership

The Committee was in receipt of a report from the Chief Administrative Officer dated 1995 October 17, respecting the above noted matter and approved the following:

> That the City of Hamilton participate in "The Learning Partnership" on Wednesday, 1995 November 8, by permitting its employees to have a Grade 9 student "job shadow" them throughout the day, wherever the job shadowing will not interfere with the employee's normal responsibilities.

7. TREASURER

(a) Information Report - Realty and Business Tax Arrears and Collection Procedures

The Committee was in receipt of an Information Report from the Treasurer dated 1995 October 12, respecting the above noted matter.

The Committee agreed to receive this document for information purposes.

(b) Request for Proposal - Benefits

The Committee was in receipt of a report from the Treasurer dated 1995 October 16, respecting the above noted matter.

The Committee approved the following:

(a) That the City enter into agreements with:

(i) Metropolitan Life for the provision of Basic Group Life, Optional Life, Dependent Life and Long Term Disability Benefits effective 1995 December 1; and,

(ii) CIGNA Canada for the provision of Accidental Death and Dismemberment Benefits effective 1995 December 1; and,

(iii) Liberty Health for the provision of Hospital Health and Dental Benefits effective 1995 December 1; and,

(b) That the City Treasurer be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.

8. GRANTS CO-ORDINATOR - 1996 Grant Applications and Processes

The Committee was in receipt of a report from the Grants Co-Ordinator dated 1995 October 23, respecting the above noted matter and approved the following:

(a) That the 1996 General and Convention/Reception Grant Applications and Policies be made available to potential applicants with an extended deadline of 1996 January 5 (due to the Christmas Closure of City Hall December 27-30 inclusive) for the General Grant Applications; and,

(b) That the process for reviewing and approving of these 1996 Grant Applications be considered by the Finance and Administration Committee by the end of 1996 January.

9. CITY CLERK - Changes to Licensing Powers and Procedures

The Committee was in receipt of a report from the City Clerk dated 1995 October 16, respecting the above noted matter.

The Committee approved the following:

That pursuant to the Municipal and Liquor Licensing Statute Law Amendment Act, 1994:

(a) That a 5-member Licensing Committee composed of 3 elected officials and 2 citizen representatives be maintained; and,

(b) That application be made to the Province of Ontario to revise the Special Legislation of the Licensing Committee so that the Committee may hold hearings on behalf of City Council, as opposed to its current role of issuing licences and holding hearings; and,

(c) That, subject to the special legislation being obtained, the City Clerk be authorized to issue licences which meet the criteria set out and approved by City Council; and,

(d) That Licence Code 93-069 and Second Level Lodging Home By-law 80-259 be amended to:

(i) Provide for an increase in the maximum fines to $25,000. for individuals and to $50,000. for Corporations; and,

(ii) That the City Treasurer be authorized to act under the new Distress Powers of the newly enacted legislation to effect payment of any fines, if and when the need arises; and,

(e) That the City Solicitor be authorized and directed to prepare the by-law amendments.

10. DIRECTOR OF PROPERTY

(a) Offer to Purchase - Sale of City Property - 11 Arthur Avenue South 1125948 Ontario Ltd. (Marino Rakovac)

The Committee was in receipt of a report from the Director of Property dated 1995 October 13, respecting the above noted matter.

The Committee approved the following:

(a) That an Offer to Purchase Agreement, to be executed by 1125948 Ontario Ltd. (Marino Rakovac) and scheduled to close on or before 1996 February 15, for the purchase of a vacant parcel of land known as the northerly 27 feet throughout from front to rear of Lot 15 on the east side of Arthur Avenue South in Colin Arthur's Survey, Plan 165 of the Subdivision of part of Lot 10 in the Second Concession of the Township of Barton, in the County of Wentworth, made by J.W. Tyrrell, P.L.S., having a municipal address of 11 Arthur Avenue South, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Estate Procedural By-Law enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $18,000. be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $1,800. be held by the City Treasurer pending Council approval; and,

(c) That this Offer to Purchase be subject to the following conditions:

(i) The Vendor makes no representation, warranty, condition either express or implied as to soil or other environmental conditions, utilities, fitness for purpose of zoning and building by-laws, park, road widening or other possible dedications,or as to charges, levies and regulation of the City, the Regional Municipality, Utilities or other regulatory authorities. The Purchaser shall inspect the property and shall satisfy himself in respect of such matters prior to submitting this Offer; and,

(ii) The Purchaser acknowledges and agrees that there are no warranties and/or representations by the Vendor and that the Property is being purchased on an "as is" basis except as specifically herein provided. The Purchaser further acknowledges that the Vendor is making no representation or warranties whatsoever with respect to the Property. The Purchaser acknowledges that it has relied entirely upon its own inspection and investigation with respect to quantity and value or the property; and,

(iii) The Purchaser acknowledges that it has inspected the property and has conducted an independent investigation of present and past uses of the property; and that the Purchaser has not relied on any representations by the Vendor concerning any condition of the property, environment or otherwise; and,

(iv) The Purchaser acknowledges that the subject property is zoned "G-3"; and,

(v) The Purchaser acknowledges that present access to the property is from an unassumed City alley adjacent to the north. The City reserves the right pursuant to the Municipal Act to close said alley. The Purchaser agrees that he may be required to make application of the City at his expense for a driveway approach from Arthur Avenue South; and,

(vi) The Purchaser acknowledges that no survey or reference plan exists for the subject property. Should the Purchaser require a survey or reference plan, he will be required to produce same at his cost and expense; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(e) That in accordance with Real Property Sales Procedural By-Law No. 95-049:

(i) Satisfactory notice has been given to the public of the intended sale; and,

(ii) An appraisal of the market value of the property intended to be sold was obtained on 1995 June 5; and received on 1995 October 24; and,

(iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in a form prescribed pursuant to Section 193 of the Municipal Act.

(b) **Central Utilities Cogeneration Project - Award of Engine Contract - Engine/Generator Supplier**

The Committee was in receipt of a report from the Director of Property dated 1995 October 20, respecting the above noted matter.

The recommendation read as follows:

(a) That authorization be given to establish a purchase order in the amount of $3,649,427., inclusive of G.S.T. ($223,886.) for accounting purposes, only becoming effective upon execution of a formal Agreement, prepared by the City Solicitor, between the City and Toromont/Caterpillar of Concord, Ontario for the supply, installation and commissioning of two 3612 engine-generator sets with a nominal output of 2,100 kilowatts for the Central Utilities Cogeneration Plant, this being the lowest of three proposals received in accordance with the specifications issued by the Purchasing Division, Ref:C14-4-95; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the said Agreement on behalf of the City; and,

(c) That the Agreement specify the various stages of engine construction completion at which particular amounts of the total money amount in (a) will be payable, as per a Schedule of payment to be agreed by the City and Toromont/Caterpillar; and,

(d) That the Agreement specify a cancellation clause, to be agreed by the City and Toromont/Caterpillar, to mitigate the financial risk to the City in the event the project is delayed or cancelled by either the City or Toromont/Caterpillar; and,

(e) That the Agreement include an extended 15 year maintenance contract to be negotiated between the City of Hamilton and Toromont/Caterpillar for an annualized amount to be funded from the current budget beginning in the year that the Cogeneration Plant is operating.

(c) **Central Utilities Cogeneration Project - Request for Additional Capital Funding and Plant Site Selection**

The Committee was in receipt of a report from the Director of Property dated 1995 October 20, respecting the above noted matter.

The recommendation read as follows:

(a) (i) That the gross cost of the Central Utilities Plant Cogeneration Project be revised from $7,728,500. to $9,034,275. in the amount of $1,305,775. and that the additional costs be financed by the issuance of a debenture and the City Solicitor be authorized to revise By-law No. 95-09; and,

(ii) That the Regional Municipality of Hamilton Wentworth be requested to consent to the issuance of a debenture in the amount of $1,305,775. for a term not to exceed 20 years for the above project; and

(iii) That the City Treasurer be authorized to revise the 1995 - 2004 Capital Budget to reflect the increased debt requirement for the above project; and,

(b) That approval be given to proceed with the installation of a 4.2 MW Cogeneration Plant at the preferred site at the rear of City Hall behind the existing boiler plant referred to herein as CH-2.

The Committee discussed both of these matters. The Committee then agreed to move In-Camera to discuss aspect of these issues of a Private and Confidential nature. The Committee then moved back into Regular session, and agreed to refer the above-noted Cogeneration Project matters to a special meeting of the Finance and Administration Committee prior to City Council on Tuesday, 1995 October 31st.

11. COMMISSIONER OF PUBLIC WORKS AND TRAFFIC - 1995 - 1998 Street Vendors Program

The Committee was in receipt of a report from the Commissioner of Public Works and Traffic dated 1995 October 18, respecting the above noted matter.

The Committee approved the following:

(a) (i) That Section 2 of the Sixteenth Report of the Finance and Administration Committee, as approved by City Council on 1995 May 30, be amended by rescinding the approvals for the nine Street Vendor locations awarded to the Sarasota Sizzlers; and,

(ii) That Location #25 - Pier 4 Park and location #28 - Bayfront Park, be deleted from the list; and,

(iii) That the remaining seven locations be retendered early in 1996 for the period commencing 1996 April to the end of 1998 December; and,

(b) (i) That Section 29 of the Seventeenth Report of the Finance and Administration Committee, as approved by City Council on 1995 June 27, be amended by rescinding the approvals for two Street Vendor locations - #2 on the north east corner of King and Catharine Streets and #3 on the north side of King Street, just east of James Street, awarded to Mr. Mustafa Ghomishah and by rescinding the one approval for Location #6 -Jarvis Square Clock Tower awarded to Mr. Troy D'Souza; and,

(ii) That Location #2 - north east corner of King and Catharine Streets and Location #6, be retendered early in 1996, for the period commencing 1996 April to the end of 1998 December; and,

(iii) That Location #3 - north side of King Street, east of James Street, be offered to and awarded to Mr. Jamshid Haidary for the period commencing immediately and continuing to the end of 1998 December for a lump sum fee of $7,000. and under the usual terms and conditions (including fee, license, product, and Health Department approval); or, if this agreement is not reached, this location be retendered early in 1996 with the other locations.

(c) That the Director of Public Works and Traffic be authorized to renegotiate the Street Vendors Agreement with Larry and Karen Charters for Pier 4 and Bayfront Parks to allow them to add to their menu the sale of hot dogs, except during Aquafest, subject to an increased payment to the City.

12. **Appointment of second Aldermanic representative to serve on the Hamilton Status of Women Sub-Committee (no copy)**

The Committee discussed the Aldermanic representation on the Hamilton Status of Women Sub-Committee.

It was then moved by Alderman Anderson, seconded by Alderman Agro, and carried:

(a) That the Aldermanic composition on the Hamilton Status of Women Sub-Committee be increased from 2 to 3 members; and,

(b) That Alderman M. Kiss and Alderman D. Wilson be appointed to serve on the Hamilton Status of Women Sub-Committee

Note: Alderman M. Caplan was previously appointed.

13. **OTHER BUSINESS**

Mayor Morrow spoke to the Committee regarding the flying of the Quebec flag. In this regard, and as the result of a poll, the Committee approved the following:

That approval be given to ratify the poll to fly the Quebec Flag at Hamilton City Hall on Thursday, 1995 October 26th or Friday, 1995 October 27th in support of a United Canada.

14. **ADJOURNMENT**

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder.

Susan K. Reeder
Secretary
1995 October 24

Tuesday 1995 October 31
3:00 o'clock p.m.
Room 233, City Hall

A Special Meeting of the Finance and Administration Committee was held.

A. (ii)

Present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice Chairman
Alderman M. Kiss
Alderman V. J. Agro
Alderman D. Wilson
Alderman T. Anderson

Regrets:

Mayor R. Morrow	-	City business
Alderman D. Drury	-	Regional business
Alderman C. Collins	-	Attending a regularly scheduled Health and Social Services Committee Meeting

Also Present: J. G. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
P. Hooker, Law Department
L. King, Building Commissioner
S. Hollowell, Acting City Clerk
M. Watson, Real Estate
R. Desnoyers, Property
R. Fair, Director of Culture and Recreation
Susan K. Reeder, Secretary

A G E N D A

1. DIRECTOR OF PROPERTY

(a) Central Utilities Cogeneration Project - Award of Engine Contract - Engine/Generator Supplier

The Committee was in receipt of a report from the Director of Property dated 1995 October 20, tabled from the previous meeting of 1995 October 24, respecting the above noted matter.

The recommendation read as follows:

(a) That authorization be given to establish a purchase order in the amount of $3,649,427., inclusive of G.S.T. ($223,886.) for accounting purposes, only becoming effective upon execution of a formal Agreement, prepared by the City Solicitor, between the City and Toromont/Caterpillar of Concord, Ontario for the supply, installation and commissioning of two 3612 engine-generator sets with a nominal output of 2,100 kilowatts for the Central Utilities Cogeneration Plant, this being the lowest of three proposals received in accordance with the specifications issued by the Purchasing Division, Ref:C14-4-95; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the said Agreement on behalf of the City; and,

(c) That the Agreement specify the various stages of engine construction completion at which particular amounts of the total money amount in (a) will be payable, as per a Schedule of payment to be agreed by the City and Toromont/Caterpillar; and,

(d) That the Agreement specify a cancellation clause, to be agreed by the City and Toromont/Caterpillar, to mitigate the financial risk to the City in the event the project is delayed or cancelled by either the City or Toromont/Caterpillar; and,

(e) That the Agreement include an extended 15 year maintenance contract to be negotiated between the City of Hamilton and Toromont/Caterpillar for an annualized amount to be funded from the current budget beginning in the year that the Cogeneration Plant is operating.

(b) **Central Utilities Cogeneration Project - Request for Additional Capital Funding and Plant Site Selection**

The Committee was in receipt of a report from the Director of Property dated 1995 October 20, tabled from the previous meeting of 1995 October 24, respecting the above noted matter.

The recommendation read as follows:

(a) (i) That the gross cost of the Central Utilities Plant Cogeneration Project be revised from $7,728,500. to $9,034,275. in the amount of $1,305,775. and that the additional costs be financed by the issuance of a debenture and the City Solicitor be authorized to revise By-law No. 95-09; and,

(ii) That the Regional Municipality of Hamilton Wentworth be requested to consent to the issuance of a debenture in the amount of $1,305,775. for a term not to exceed 20 years for the above project; and

(iii) That the City Treasurer be authorized to revise the 1995 - 2004 Capital Budget to reflect the increased debt requirement for the above project; and,

(b) That approval be given to proceed with the installation of a 4.2 MW Cogeneration Plant at the preferred site at the rear of City Hall behind the existing boiler plant referred to herein as CH-2.

(c) **Information Report - Value of Future Savings**

The Committee was also in receipt of the above-noted Information chart.

Added - Report - Chief Administrative Officer - Central Utilities Cogeneration Project - Request for Additional Capital Funding and Plant Site Selection

The Committee was in receipt of the above-noted report from the C.A.O. Mr. Pavelka spoke to the Committee about the Cogeneration Project, and suggested that this project be referred to the Capital Budget deliberations in view of the increased costs to the project.

Some discussion ensued, and the Committee approved the following:

(a) That the request by the Property Department for an additional $1,305,775. for the Cogeneration Project be considered in the 1996-2005 Capital Budget; and,

(b) That the reports of the Director of Property dated 1995 October 20th respecting the "Award of Contract - Engine/Generator Supplier - Central Utilities Cogeneration Project" and "Central Utilities Cogeneration Project - Request for Additional Capital Funding and Plant Site Selection" be referred to the Capital Budget deliberations; and,

(c) That staff pursue a fixed price and turnkey design/build contract.

2. **ADJOURNMENT**

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1995 October 31

A. (iii)

Tuesday, 1995 October 31st
2:30 o'clock p.m.
Room 233, City Hall

A Joint Meeting of the Parks and Recreation Committee and the Finance and Administration Committee was held.

Parks and Recreation Committee

There were present:
Alderman F. Eisenberger, Chairman
Alderman T. Anderson
Alderman W. McCulloch
Alderman D. Wilson
Alderman D. Ross

Regrets:

Mayor R. Morrow	-	City Business
Alderman T. Jackson	-	Attending a regularly scheduled Health and Social Services Committee Meeting
Alderman M. Caplan	-	Attending a regularly scheduled Health and Social Services Committee Meeting
Alderman B. Morelli	-	Attending a regularly scheduled Health and Social Services Committee Meeting

Finance and Administration Committee

There were present:
Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Alderman M. Kiss
Alderman D. Wilson
Alderman T. Anderson
Alderman V. Agro

Regrets:

Mayor R. Morrow	-	City Business
Alderman D. Drury	-	Regional Business
Alderman C. Collins	-	Attending a regularly scheduled Health and Social Services Committee Meeting

Also present:
J. Pavelka, Chief Administrative Officer
S. Hollowell, Acting City Clerk
P. Hooker, Law Department
C. York, Culture and Recreation Department
M. Havelka, Culture and Recreation Department
R. Fair, Director of Culture and Recreation
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
B. Chrystian, Public Works and Traffic
Susan K. Reeder, Secretary, Finance and Administration Committee and Acting Secretary, Parks and Recreation Committee

A G E N D A

The Committees agreed to move In-Camera to discuss a matter of a Private and Confidential nature.

The Committees moved back into Regular Session and each Committee approved the following recommendations:

Parks and Recreation Committee

That Section 27 of the Twelfth Report for 1995 of the Parks and Recreation Committee, approved by City Council at its meeting held Tuesday, 1995 May 30th concerning a public artwork in celebration of Hamilton's Sesquicentennial, be rescinded.

Finance and Administration Committee

That as referred to in Section 1 of the Nineteenth Report for 1995 of the Parks and Recreation Committee, no action be taken to approve a location for a public artwork in celebration of Hamilton's Sesquicentennial.

Note: Alderman Kiss opposed.

Adjournment

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN F. EISENBERGER, CHAIRMAN
PARKS AND RECREATION COMMITTEE

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Acting Secretary
Parks and Recreation Committee
and
Secretary
Finance and Administration Committee
1995 October 31st

B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 30

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears

RECOMMENDATION:

1) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994:

1605 King East
37 Kenilworth North
131 George

2) That the attached by-law to authorize the said Extension Agreements be enacted by Council.

3) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The execution of the by-law and agreements, where required, will defer the City's right to sell the lands for tax arrears for a maximum period of 24 months; however, the City will be in receipt of regular monthly payments towards current and prior years arrears over the term of the agreements.

BACKGROUND:

Section 8 of the Municipal Tax Sales Act provides that the municipality, by a by-law passed after the registration of the tax arrears certificate and before the expiry of the one-year period for redemption, may authorize an extension agreement with the owner of the land extending the period in which the cancellation price is to be paid. On June 28, 1994, in accordance with this legislation, Council approved a policy authorizing the City to enter into extension agreements with taxpayers providing certain conditions were met.

The owner of a property which has been registered for tax arrears may request the City to consider an extension agreement at any time up to and including the final day on which the redemption period expires. Administratively, there may not be sufficient time to obtain the necessary Council approval of the by-law prior to this deadline. Accordingly, staff are requesting advance authorization for the City to enter into extension agreements, if necessary, with the owners of the above specific properties providing they meet the conditions outlined in the policy adopted by Council on June 28, 1994.

In certain instances when all of the conditions in the extension agreement policy are not met the Treasurer should be allowed the latitude to recommend an extension agreement be entered into if it is deemed to be in the best financial interest of the municipality. Under these circumstances a separate report would be provided to the Committee for deliberation and approval.

During the initial months of this repayment option it has been ascertained that operational time constraints, e.g. writing of reports, council approvals, make it necessary to have the authorization to enter into these extension agreements pre-approved. Accordingly, in the month that the legislated final notices for the tax registration process are mailed out (280 days from the registration date), a listing of all those properties for which the owners may wish to enter into an extension agreement will be forwarded to Committee and Council for approval. Owners who show an interest in entering into an extension agreement with the City prior to the mailing of the final notices, will be added to the monthly reports as required.

/TAB

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1995 A.D.

CITY CLERK **MAYOR**

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	1605 KING STREET EAST
	SERIAL NUMBER	04 03040 1840
	BRIEF LEGAL DESCRIPTION	PLAN 546 LOT 90
	DATE OF REGISTRATION	OCTOBER 17, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM219527
	REDEMPTION DATE	OCTOBER 17, 1996
	TOTAL ARREARS	$9,995.66
B)	PROPERTY ADDRESS	131 GEORGE STREET
	SERIAL NUMBER	01 01020 0670
	BRIEF LEGAL DESCRIPTION	PLAN 1435 BLOCK 2 RANGE 1 PART LOTS 3,4 & 6
	DATE OF REGISTRATION	SEPTEMBER 28, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM218247
	REDEMPTION DATE	SEPTEMBER 28, 1996
	TOTAL ARREARS	$19,915.02
C)	PROPERTY ADDRESS	37 KENILWORTH NORTH
	SERIAL NUMBER	04 03130 8310
	BRIEF LEGAL DESCRIPTION	PLAN 522 LOT 25
	DATE OF REGISTRATION	AUGUST 29, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM216192
	REDEMPTION DATE	AUGUST 29, 1996
	TOTAL ARREARS	$26,943.69

CITY OF HAMILTON

- RECOMMENDATION -

NO B.(ii)

DATE: 1995 November 1

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing of Inch Park/Parkdale Arena
Renovations/Additions/Fire and Safety Upgrades

RECOMMENDATION:

a) That the total additional project cost of $601,177.15 plus G.S.T. in the amount of $643,300. for the Inch Park/Parkdale Arena renovation be approved by the issuance of debenture for a term not to exceed 20 years;

b) That the gross cost and debenture authorization for Inch Park Arena, Account Centre No. CF709441024 be increased by $321,650. to $2,321,650. and $2,208,150. respectively;

c) That the gross cost and debenture authorization for Parkdale Arena, Account Centre No. CF709441023 be increased by $321,650. to $2,321,650. and $2,208,150. respectively;

d) That the gross cost and debenture authorization of the Major Maintenance to Civic Buildings, Account Centre No. CF319541001, be reduced by $117,300. (including G.S.T.) to $946,700. and $883,700.; and

e) That the City Solicitor be authorized to revise the By-Law No. 95-034 and 95-098 to reflect the above changes.

f) That the Regional Municipality of Hamilton-Wentworth be requested to consent to the revisions of the debenture authorization noted above for a term not to exceed 20 years.

g) That the City Treasurer be authorized to revise the 1995-2004 Capital Budget to reflect the increased debt requirement for the above project, as follows:

- the average debenture charges expressed as a percentage of levy be revised from 11.74% to 11.78% for the ten year period;
- the average compound rate of increase per year in debenture charges be revised from 2.18% to 2.23%;
- the debt requirement for 1995 be revised from $14,905,000. to $15,431,000. an increase of 3.5%.

Allan C. Lou

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The net increase in the debenture authorization will be in the amount of $526,000. due to additional financing requirements for the above project.

BACKGROUND:

The details of the project were approved under Item No. 11 of the Eighteenth Report of the Parks and Recreation Committee adopted by Council on 1995 October 31.

NRA:jc

c.c. D. W. Vyce, Director of Property
P. Noé Johnson, City Solicitor, Attention: L. Farr
R. Martiniuk, Manager of Architectural Division, Attention: S. Chang
K. Christenson, Secretary, Parks and Recreation Committee
J. Bruzzese, Acting Commissioner of Finance, Regional Municipality of Hamilton-Wentworth

C.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 25

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: **1994 Debenture Projects**

RECOMMENDATION:

That the attached By-law be enacted by City Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On October 31, 1995, City Council in adopting Section 7 of the 25th Report of the Finance and Administration Committee will approve changes to the amounts for the Roadway and Sidewalk Reconstruction Projects and will recommend that the City Solicitor prepare the attached By-law.

The attached By-law is to be enacted concurrently only if Section 7 of the 25th Report of the Finance and Administration Committee is adopted by Council.

PNJ/LEF:as

c.c. A. Ross, Treasurer
Attention: N. Adhya

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend

By-law No. 94-135 and By-law No. 95-18

Respecting

1994 DEBENTURE PROJECTS

WHEREAS By-law No. 94-135 was enacted on July 26, 1994 and includes the Roadway and Sidewalk Reconstruction - Various Locations Project;

AND WHEREAS By-law No. 95-18 was enacted on December 13, 1994 and includes the Additional Sidewalk Reconstruction Project;

AND WHEREAS the approved amounts of the Roadway and Sidewalk Reconstruction - Various Locations and the Additional Sidewalk Reconstruction Projects have been changed;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 7 of the 25th Report of the Finance and Administration Committee on October 31, 1995 authorized this By-law;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The fourth line of Schedule "A" of By-law No. 94-135 is repealed and amended as follows:

	Project	Gross Cost	Federal & Provincial Subsidies	Debenture Amount	Term of Debenture
4)	Roadway & Sidewalk Reconstruction - Various Locations	$3,609,700	$2,406,466	$1,203,234	20 years

2. The totals section of Schedule "A" to By-law No. 94-135 is replaced by the following:

TOTALS	$9,638,755	$6,425,836	$3,212,919	

3. The second line of Schedule "A" of By-law No. 95-18 is repealed and replaced by the following:

	Project	Gross Cost	Federal & Provincial Subsidies	Debenture Amount	Term of Debenture
2)	Additional Sidewalk Reconstruction	$682,217	$454,811	$227,406	20 years

4. The totals section of Schedule "A" to By-law No. 95-18 is replaced by the following:

TOTALS	$6,746,717	$4,497,811	$2,248,906	

PASSED this day of , 1995.

CITY CLERK MAYOR

(1995) 25 R.F.A.C. 7, October 31

D. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Renewal of Lease of Parking Lot Owned by Theatre Aquarius Inc. for the Hamilton Parking Authority

RECOMMENDATION:

(a) That the City of Hamilton exercise its Option to renew the lease of the parking lot owned by Theatre Aquarius Inc. beside the du Maurier Ltd. Centre, being part of 190 King William Street, Hamilton for the continued use as a Hamilton Parking Authority lot under the same terms and conditions as the initial lease, including but not limited to:

(i) The rent payable by the City to Theatre Aquarius Inc. during the Lease renewal shall be:

(1) fifty percent (50%) of net revenue realized by the Hamilton Parking Authority during the preceding calendar year (or part thereof, as the case may be), provided the minimum rent payable shall be not less than $10,000. per year. Such rent shall be paid to Theatre Aquarius Inc. within sixty (60) days of the end of each calender year;

"Net revenue" is the gross revenue received from the operation of the parking lot after deducting related Parking Authority operating expenses including taxes, utilities, labour, repairs and insurance;

(2) issuance - at 50% of cost, monthly day passes requested by Theatre Aquarius Inc.; -at no cost, monthly day passes to Theatre Aquarius Inc. staff and 24 hour passes to the Executive Director and to the Production Director;

(b) That Theatre Aquarius Inc. pay hydro power charges. The Parking Authority shall maintain and operate the parking lot, including payment of business and realty taxes; and,

(c) That the lease be renewed for the period from 1994 December 1 to 1997 September 30.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funds are available in the Hamilton Parking Authority's Account No. PA56651-91170 (Parking Authority Rent for Properties).

BACKGROUND:

On 1992 September 29 City Council adopted Item 33 of the 18th Report of the Finance and Administration Committee approving the leasing of the parking owned by Theatre Aquarius Inc. beside The du Maurier Ltd. Centre for a Hamilton Parking Authority Lot.

Forming part of this approval was that the City shall have an option to renew the lease upon the same terms from 1994 December 1 until 1997 September 30, which renewal the Hamilton Parking Authority have requested this department to procure.

Also forming part of the original lease approval was that any renewal would be subject to Ontario Municipal Board approval. However following the September 1992 Council resolution was passed, it was determined that pursuant to new Provincial Regulations under The Municipal Act, OMB approval to the City assuming financial obligations such as rent during the proposed term of a lease renewal, was only required where the proposed debt payable by the City to the Lessor would take the City's debts beyond a prescribed limit.

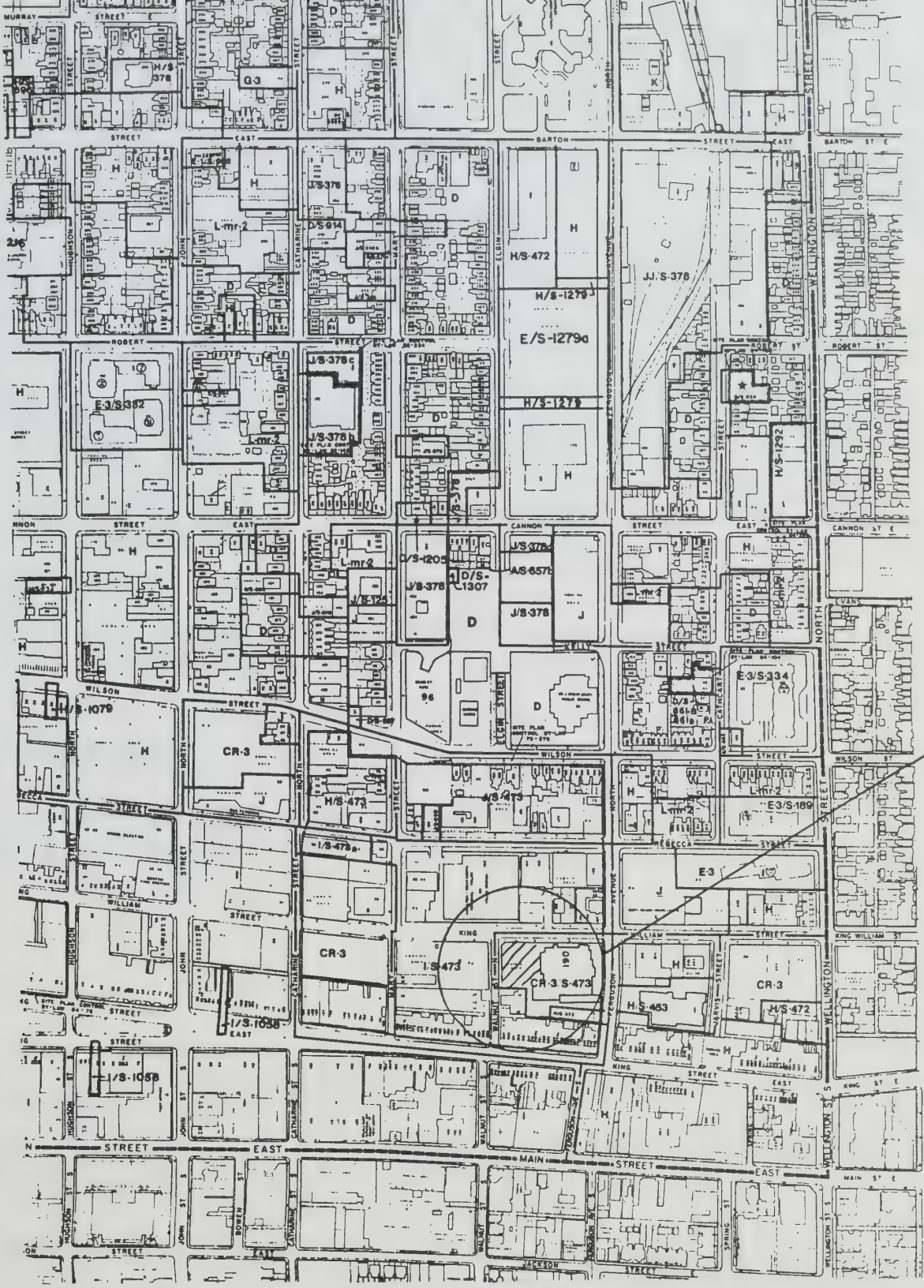
Subsequently the City Treasurer has indicated that City's debt limit along with the proposed lease agreement renewal will stay within the guidelines established by The Provincial Regulation under the Municipal Act and therefore no OMB approval is required.

KN/hew
c.c. P. Noé Johnson, City Solicitor
Attention: D. Powers

Allan C. Ross, Treasurer

J. J. Schatz, City Clerk

P. G. Baker, General Manager, Hamilton Parking Authority



All Lands Within This Neighbourhood Is Subject To Site Plan Control By-law No. 90-285.

107	106	69
21	10	95
41	31	125

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department.

CITY OF HAMILTON

BEASLEY

ZONING

Neighbourhood Boundary

Zoning Boundary.

0 100m

SCALE 50m

NORTH

Prepared for The City of Hamilton
by the Planning and Development Department
of The Regional Municipality of Hamilton-Wentworth

PLANNING Plan No. 6703

PAGE N 10

D. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

OCT 30 1995

DATE: 1995 October 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Realty Sales Procedural By-law 95-049
Declaration of Surplus Property

RECOMMENDATION:

That the property at 771 Queenston Road be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

By-law 95-049 requires all City owned lands not exempted by Ontario Regulation 815/94 be declared surplus prior to sale.

BACKGROUND:

Effective 1995 January 1 the Municipal Act was amended by the Planning and Municipal Statute Law Amendment Act requiring municipalities to enact a by-law to establish procedures for the sale of real property owned by a municipality.

On 1995 February 14 City Council adopted Item 8 of the 5th Report of the Finance and Administration Committee and enacted the Realty Sales Procedural By-law 95-049. Section 5(a) of this by-law declares that "Real Property of the City shall not be sold unless it is surplus to the requirements of the City".

This property being recommended as surplus was circulated to all City departments and associated boards and commissions and there has been no declared municipal interest.

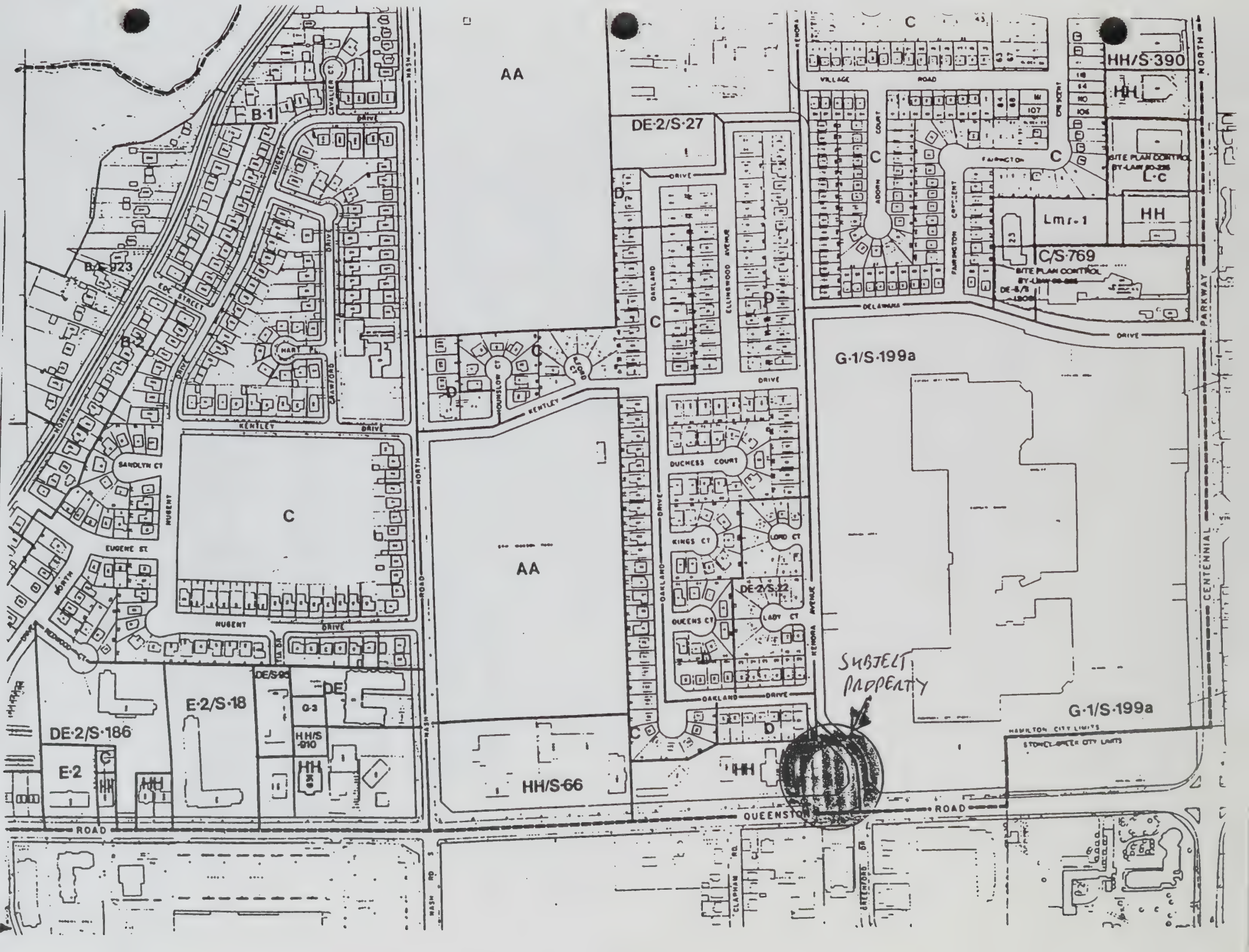
RJH/hew
c.c. Joe Pavelka, Chief Administrative Officer

P. Noé Johnson, City Solicitor
Attention: Jennifer Lessing

J. J. Schatz, City Clerk

PROPERTY DESCRIPTION

a) 771 Queenston Road, Hamilton
An 18,874 square foot parcel of land zoned "HH" at the corner of Queenston Road and Kenora Avenue which is subject to a sewer easement in favour of The Regional Municipality of Hamilton-Wentworth.


AA
DE-2/S-27
C
HH/S-390
HH
B-1
B-2
B-3
C
D
Lmr-1
C/S-769
G-1/S-199a
AA
DE-2/S-22
SUBJECT PROPERTY
E-2/S-18
DE-2/S-186
E-2
HH/S-66
HH
ROAD
QUEENSTON
KENTLEY
DRIVE
NORTH
CENTENNIAL
PARKWAY
OAKLAND
KENORA AVENUE
ELLINWOOD AVENUE
DUCHESS COURT
KINGS CT
QUEENS CT
SANDLYN CT
EUGENE ST
NUGENT
REDWOOD CT
CRAWFORD
HAMILTON CITY LIMITS
STONEY CREEK CITY LIMITS

E. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 30

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: **Use of Council Chamber - Book Launch**

RECOMMENDATION:

That approval be given to the University of Toronto Press Inc. to use the Council Chamber on Wednesday, 1995 November 29 at 5:00 p.m. for the launching of "Saturday's Child", the Memoirs of Canada's First Female Cabinet Minister, the Honourable Ellen Louks Fairclough.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The University of Toronto Press Inc., together with the Mayor's Office, will be hosting a book launch at City Hall to be followed by a wine and cheese reception at the Piano Nobile Lounge, Hamilton Place Theatre Auditorium, on November 29, 1995.

Ellen Fairclough was Member of Parliament for Hamilton-West (1950-63) and was made a companion of the Order of Canada in 1995.

cc Mayor's Office
Rob Swan, Manager, Property & Maintenance Division
Information Desk

E. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 3

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. S. G. Hollowell
Acting City Clerk

SUBJECT: **Ontario Social Justice Coalition Rally**
Use of Forecourt

RECOMMENDATION:

That approval be given to the request of the Ontario Social Justice Coalition to use the City Hall Forecourt and related equipment on Tuesday, 1995 November 21 from 4:00 p.m. to 6:00 p.m. for a Rally with regard to the Provincial cut backs.

S G Hollowell

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Labour Council on behalf of the Ontario Social Justice Coalition, wish to use the forecourt on 1995 November 21 for a Rally with regard to Provincial Government cuts. The Rally will have a number of speakers followed by a candle light vigil.

SGH:SG:jp

SG

cc Mayor's Office
R. Swan, Manager, Property & Maintenance Division
Information Desk

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Office of the Clerk

Robe
Mich

F.

October 18, 1995

OFFICE OF THE CITY CLERK
OCT 18 1995
REC. BY ..... DATE .....
REF'D. TO ..... DATE .....
REF'D. TO S.H.R. DATE .....
REF'D. TO D.R. DATE .....
ACTION: F.Y.A.

Mr. J. Schatz, Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Schatz:

Re: Health and Social Services Committee
Report 15-95, Item 9

Subjoined, please find Item 9 of Report 15-95 of the Health and Social Services Committee which were approved by Regional Council at its meeting held on Tuesday, October 17, 1995.

9. **Second Level Lodging Home By-Law**

a) That Regional and City of Hamilton staff investigate implications for amending the present Second Level Lodging Home By-law to include a User Fee for inspections above and beyond the regular inspections conducted at the present time;

b) That this resolution be forwarded to the City of Hamilton for consideration. **Item 4.1**

Your assistance in forwarding the recommendation to City Council for disposition is appreciated.

Yours truly,

Mary Gallagher

Mary L. Gallagher
Legislative Assistant

119 King Street West, 15th Floor
P.O. Box 910
Hamilton, Ontario L8N 3V9

Tel. (905) 546-4154
Fax (905) 546-2546
TDD (905) 522-1787

G.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1995 November 3rd

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1995 September 30th

(b) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1995 September 30th

(c) Information Report - Mayor Morrow - Financing 1995 International Great Lakes/St. Lawrence Mayor's Conference

(d) Information Report - Treasurer - Sale of Tax Arrears Properties - report dated 1995 October 24th

Susan K. Reeder

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

URBAN/MUNICIPAL
CA4 ON HBL A05
C51F31
1995



Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

URBAN MUNICIPAL
NOV 21 1995
GOVERNMENT DOCUMENTS

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 November 21st
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder.

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **MAYOR ROBERT M. MORROW**

   Hamilton Sesquicentennial - Use of the Sesqui Logo and Mascot (copy to follow)

4. **CHIEF ADMINISTRATIVE OFFICER AND COMMISSIONER OF HUMAN RESOURCES**

   Executive Assistant to the Mayor

5. **TREASURER**

   Interim Reorganization - Treasury Department (copy to follow)

6. **H. E. C. F. I.**

   Consolidation of Capital Reserves - The Hamilton Entertainment and Convention Facilities Inc.

7. **DIRECTOR OF PROPERTY**

Requested Information Report - Lease Information - Champions Fitness Centre, Part of Copps Coliseum

8. **SECRETARY, LICENSING COMMITTEE**

Hours of Operation for Bingo Parlours

9. **COMMISSIONER OF PUBLIC WORKS AND TRAFFIC**

Purchase of three (3) 25 Yard Refuse Packers, Fleet Services

10. **OTHER BUSINESS**

11. **ADJOURNMENT**

3.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 10

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Robert M. Morrow
Mayor

SUBJECT: Hamilton Sesquicentennial - Use of the Sesqui Logo and Mascot

RECOMMENDATION:

(a) That the Sesquicentennial logo, as attached herewith, be incorporated onto public and internal documents, such as City brochures, letterhead, envelopes, internal memorandums, and wherever possible, in order to profile the City's 150 birthday celebrations for 1996; and,

(b) That the Commissioner of Public Works and Traffic be authorized to create signs of the Sesquicentennial logo, and the Sesqui mascot, as herewith attached, to be affixed to both sides of the Main Street Banner pole for the 1996 Sesqui year.

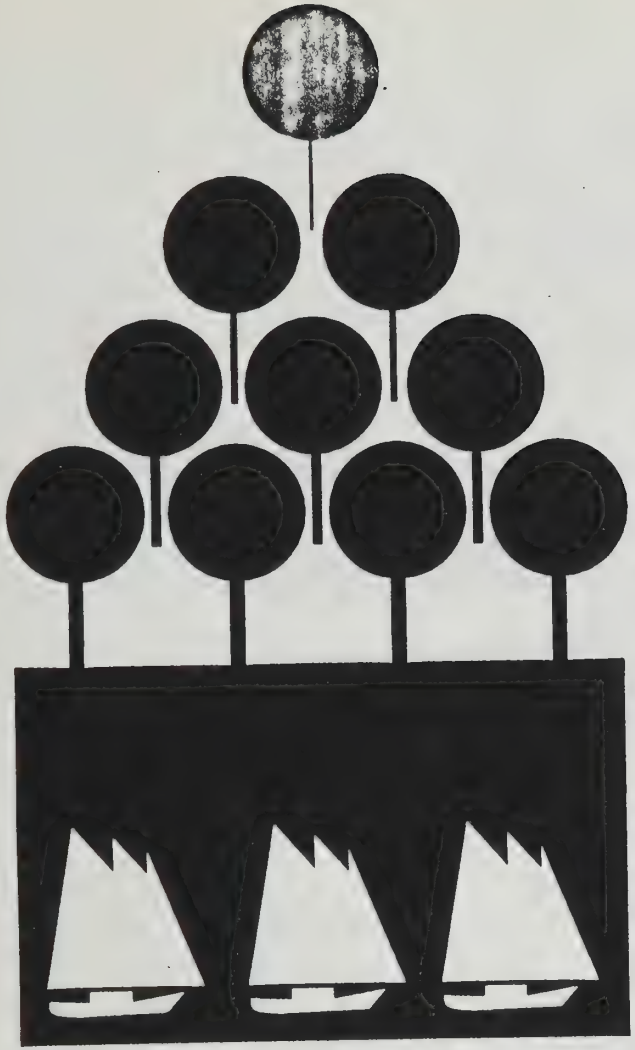
FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The cost of creating the two signposts of the logo and mascot would be minimal and created in house.

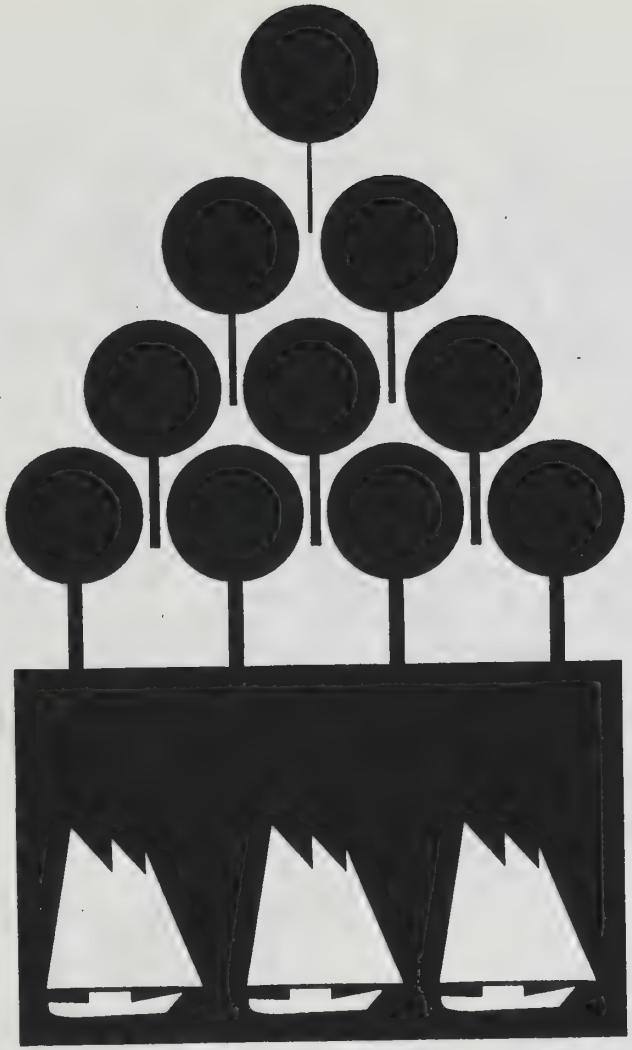
Incorporating the logo onto brochures and letterhead would be done in-house.

BACKGROUND:

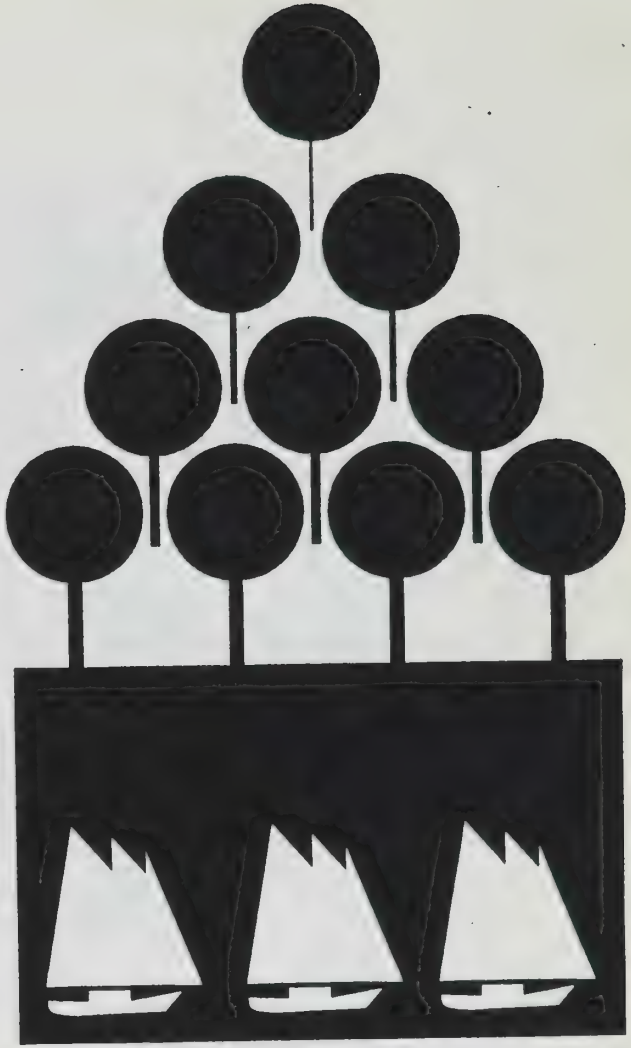
The use of the Sesquicentennial logo and the mascot will enhance recognition of the City's 150th Celebration.



HAMILTON
150TH BIRTHDAY
1996



HAMILTON
150TH BIRTHDAY
1996



HAMILTON
150TH BIRTHDAY
1996


HAMILTON'S GOT
LOTS TO GRIN ABOUT
MEDICAL RESEARCH
COPPS COLISEUM
INDUSTRY
STEEL CITY... WARM HEART
OUR TICATS
HAMILTON
"SESQUI"
THE ARTS
EDUCATION
SESQUI-CENTENNIAL
150TH BIRTHDAY
Blaine

4.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 14

NOV 16 1995

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. Pavelka
Chief Administrative Officer

John Johnston
Commissioner of Human Resources

SUBJECT: **Executive Assistant to the Mayor**

RECOMMENDATION: That the position of Executive Assistant to the Mayor be filled pursuant to the following terms and conditions:

(a) A contract be entered into for the length of the Mayor's current term of office
(b) That the person be an employee of the City of Hamilton reporting directly to the Mayor
(c) That the employee be eligible for benefits including pension and mileage
(d) That the employee be ineligible for any special retirement programs run by the City of Hamilton
(e) That the salary be a job rate, established by the Mayor, and benchmarked against a comparison of similar positions in other Ontario municipalities

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
There is sufficient funding with the budget of the Mayors office to cover the expenditures for this position.

BACKGROUND: The recent retirement of the Executive Assistant to the Mayor identified a number of issues which needed to be addressed with respect to the employment relationship between the individual, the Mayor, and the City of Hamilton. It was concluded that the previous understanding that the Executive Assistant would be an employee of the Mayor cannot be sustained and that there would have to be recognition that the Executive Assistant was in fact an employee of the City of Hamilton. At the same time it was

concluded that there were special circumstances to this employment and that these should be contained within the contract with the individual. The recommendations detail those special circumstances.

With respect to salary we conducted a survey and found that the low end of the salary varied from approximately $34,000.00 to $65,000.00 while the top end of the salary varied from $42,000.00 to $75,000.00. It is difficult to reach any conclusion with respect to these salary levels without conducting a more detailed review of the job descriptions for each position, however, one can conclude that a salary falling within these parameters is not out of line with the current levels in Ontario. The actual survey is attached as Appendix "A".

EXECUTIVE ASSISTANT TO THE MAYOR – SALARY SURVEY

MUNICIPALITY	LOW END OF RANGE
CITY OF ETOBICOKE	33910
CITY OF WATERLOO	35016
CITY OF BURLINGTON	37900
CITY OF BRAMPTON	38000
CITY OF LONDON	40279
CITY OF MISSISSAUGA	44063
CITY OF BARRIE	47537
CITY OF SUDBURY	48722
CITY OF NORTH YORK	57627
CITY OF OTTAWA	65000

MUNICIPALITY	MAX END OF RANGE
CITY OF ETOBICOKE	42090
CITY OF BRAMPTON	42300
CITY OF WATERLOO	43770
CITY OF BURLINGTON	47375
CITY OF LONDON	50349
CITY OF SUDBURY	54837
CITY OF MISSISSAUGA	55079
CITY OF BARRIE	60387
CITY OF NORTH YORK	72034
CITY OF OTTAWA	75000

Hamilton
Entertainment
and Convention
Facilities Inc.

6.

-RECOMMENDATION-

DATE: 1995 November 12

NOV 16 1995

REPORT TO: Mrs. Susan Reeder, Secretary
FINANCE AND ADMINISTRATION COMMITTEE

FROM: Patricia Bennett, Secretary
H.E.C.F.I. Board of Directors

SUBJECT: **CONSOLIDATION OF CAPITAL RESERVES**
The Hamilton Entertainment and
Convention Facilities Inc.

RECOMMENDATION:

THAT THE CITY OF HAMILTON'S FINANCE AND ADMINISTRATION COMMITTEE AUTHORIZE THE CITY TREASURER TO CONSOLIDATE THE TICKET SURCHARGE - HAMILTON PLACE (CH 2X000-00207) AND TICKET SURCHARGE - COPPS COLISEUM (CH 2X000 - 00211) RESERVE FUND ACCOUNTS INTO THE RESERVE FUND FOR CAPITAL PROJECTS - H.E.C.F.I. (CH 2X000-00206), EFFECTIVE DECEMBER 31, 1995.

Patricia Bennett
Legislative Assistant

BACKGROUND:

- The H.E.C.F.I. Board of Directors approved the foregoing recommendation at its Regular meeting held October 27, 1995.

Copps
Coliseum

- H.E.C.F.I. levies a patron surcharge on ticket admissions (over a set dollar limit) to events held at Hamilton Place and Copps Coliseum. These funds are utilized for capital improvements to the respective buildings and are recorded in separate reserve fund accounts maintained in the accounting records of the City of Hamilton.

- H.E.C.F.I. has a third reserve fund for capital projects which is also recorded in the accounting records of the City of Hamilton and is used to fund major building repairs, purchase of equipment or replacement thereof for all three of the H.E.C.F.I. facilities.

- Since the purpose of the three reserve funds is to finance the capital requirements of the H.E.C.F.I. facilities, it is proposed that the three accounts be combined into one. This will lead to administrative efficiencies but will not limit informational requirements since the generation of ticket surcharge revenues by facility and the utilization of capital funds by facility will be separately disclosed in the footnotes to the annual audited financial statements.

- The foregoing proposal has been discussed with H.E.C.F.I.'s auditors, MacGillivray Partners and the City's Treasury Department, who are in agreement with the recommendation.

7.

CITY OF HAMILTON

- INFORMATION -

DATE: 1995 November 9

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Lease Information
Champions Fitness Centre
Part of Copps Coliseum

BACKGROUND:

As requested by the Committee we wish to provide you with lease and tax information pertaining to this location.

City Council on August 21, 1993 adopting Item 23 of the 15th Report of the Finance and Administration approved a 10 year lease with 752413 Ontario Limited and Champions Fitness Ltd. The following is a summary of the terms.

Area: 2,823 square feet of the North-East quadrant of the retail mall level Copps Coliseum (101 York Boulevard)

Term: Ten (10) years commencing December 20, 1993

Rental Rate: For the first five (5) years $4.00 per square foot (net) $11,292 per annum or $944 per month plus G.S.T.

Note: The rental payments are forwarded to H.E.C.F.I. to assist their financial operation.

Second five (5) years rent to be negotiated.

Operating Costs: Lessee (Champions) to pay all operating costs associated with leased space (taxes, hydro, heating and air conditioning).

Free Rent: The City agree to provide the Lessee with the first six (6) months rent free to assist the tenant in its construction cost of the tenant improvements.

Lease Guarantee: Mr. Gene Kay and Michael Watson will personally guarantee the lease and its terms for the first three (3) years of the lease.

Realty Tax Information

As part of the lease agreement the Lessee must pay realty taxes and in this case the invoice for taxes on the City leased area (2,823 square feet) was forwarded to Champions in the spring of 1995 which indicated taxes outstanding for part of 1994 and all of 1995. The breakdown is as follows:

March to December 1994	$12,252.45
January to December 1995	$15,027.00
Total Outstanding	$27,279.45 plus interest

Note: The delay in billing was due to the time it took to place this area on the assessment roll.

The Womens Fitness Centre is made of two parts; the City leased area (2,823 square feet) and an area (2,730 square feet) leased from Jackson Square. The taxes for the Jackson Square portion are equal to the City's.

CONCLUSION:

The present rental rate quoted by Jackson Square for rental space is in the area of $10 to $15 per square foot plus operating cost of $24 per square foot. The City's lease is at $4.00 per square foot (net).

The City leased area in Copps Coliseum on its own is not a marketable product, however, when added to the Jackson Square with access to the mall it becomes part of the whole and in our opinion this rate of $4.00 per square foot (net) is fair and reasonable.

On the surface the $15,000 in taxes for 2,823 square feet ($5.32 per square foot) appears rather high, however when comparing this rate to the rest of the Jackson Square Mall they are currently paying between $11 and $14 per square foot.

MCJW/hew

c.c. Alderman H. Merling, Alderman, Ward 7
Mr. Joe Pavelka, Chief Administrative Officer
Allan C. Ross, Treasurer
P. Noé Johnson, City Solicitor

8.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 10

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Stella Glover, Secretary
Licensing Committee

SUBJECT: **Hours of Operation for Bingo Parlours**

RECOMMENDATION:

That no action be taken on the request of Cameron & Johnstone Ltd., owners of the Delta Bingo Hall, to permit licensed bingo halls to extend the hour of closing to 4:00 o'clock a.m. on Saturday and Sunday mornings respectively.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A Stella Glover

BACKGROUND:

At its meeting of 1995 September 13, as the result of a referral back from the Finance and Administration Committee, the Licensing Committee received a verbal submission from Messrs. Cameron and Johnstone with regard to their request to extend the hours of operation of bingo halls. The Committee also reconsidered the City Clerk's recommendation of 1995 June 9 to extend the hours for a six months trial period.

The Traffic Department subsequently reported that Parking Control Officers are not on duty on the relevant nights and, as a result, no parking enforcement would be provided. They also noted that the H.S.R. does not operate buses during the proposed extended hours.

The Chief Noise Control Officer reported that no noise complaints had been received with respect to bingo parlours but that he would however, support the staff recommendation for a 6 month trial period for such events.

The Licensing Committee considered the foregoing at its meeting of 1995 November 8, and confirmed its previous decision to take no action in this matter.

cc: Mr. M. Hazell, Manager of Community Traffic Services, Traffic Department
Mr. F. Westaway, Noise Control By-law Officer, Public Works Department
Mr. J.J. Schatz, City Clerk

9.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 6

NOV 13 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. Lobo
Commissioner of Public Works and Traffic

SUBJECT: Purchase of three (3) 25 Yard Refuse Packers,
Fleet Services

RECOMMENDATION:

a) That a purchase order be issued to Freightliner Mid-Ontario, Rexdale, in the amount of $398,713.05, including all applicable taxes, for the purchase of three (3) Refuse Packers for Fleet Services, being the lowest acceptable of six tenders received in accordance with specifications issued by Purchasing and Vendor's tender.

b) That the purchase of the (3) Refuse Packers be funded in an amount of $360,000 from Capital Funds Account # CF5200 609551018, and

c) That the Finance and Administration Committee recommend the method of financing the unbudgeted balance of $38,713.05.

D. Lobo

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the Leaf and Yard Waste Program. The capital acquisition costs up to $360,000 are carried within the Capital Budget Program, item number 90, as approved by City Council on March 9, 1995.

An amount of $38,713.05 requires funding above that carried in the approved capital budget submission.

Separating leaf and yard waste from residential waste to facilitate composting, has been mandated by the provincial government. The citizens of Hamilton will benefit from a leaf and yard waste management plan as the composting of these materials will reduce waste, conserve landfill space and reduce net costs.

Since landfilling and incineration costs to this municipality are approximately two times the current costs of composting, then leaf and yard waste management while increasing costs through separate collection and diversion, will cause offsetting reductions in the overall costs for waste management.

The details of the leaf and yard waste management will be forwarded through a separate report to the Transport and Environment Committee.

BACKGROUND: Tender Analysis

Hamilton Truck Service Ltd., Hamilton	$397,681.50*
Majeda Industries Ltd., Etobicoke	398,240.40**
Freightliner Mid-Ontario, Rexdale	398,713.05
Capital Disposal Equipment, Rexdale	399,775.65
Carrier Truck Centre, Brantford	404,547.00
Altruck Transportation Services, Hamilton	410,377.50

* This company has qualified their bid by the addition of payment terms that would increase the total acquisition cost by approximately $3,000.00.

** The Refuse Packer Bodies bid by this company do not meet specification in several area as follows:

1) Packer body top and sides with 3/16 inch, 80,000 psi. minimum yield strength, abrasion resistant 500 steel was specified. The packer offered has only 11 gauge top with 50,000 psi. yield strength, and 10 gauge sides with a yield strength of 50,000 psi..

2) Hopper sides constructed of 3/16 inch steel with a yield strength of 80,000 psi. minimum was specified. The hopper offered has 1/4 inch steel with a yield strength of only 50,000 psi..

3) Body floor constructed of 3/16 inch, 100,000 psi. yield strength minimum was specified. The floor of the packer offered has a floor constructed of 10 gauge steel with a yield strength of only 50,000 psi..

4) The hydraulic tank will be saddle mounted for easy access was specified. The packer offered has the hydraulic tank mounted behind the chassis cab.

This tender was advertised and twelve suppliers requested to bid. Six responded and six did not reply.

CFE DM/CFE/rb

cc: C. Guthro, Manager of Fleet Services
J. Avery, Assistant to Manager, Purchasing
D. Manningham, Vehicle Acquisition Officer
L. Barker, Administrative Co-ordinator

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 November 21st
1:30 o'clock p.m.
Room 233, City Hall

A. **MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

Minutes of the regular meeting held Tuesday, 1995 November 7th

B. **CITY CLERK**

(i) Use of City Facilities - First Night and Sesquicentennial Celebration

(ii) Use of Second Floor - Ontario March of Dimes

C. **TREASURER**

(i) Financing - Purchase of Three 25 Yard Refuse Packers

(ii) Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears

D. **CITY SOLICITOR**

(i) By-law to repeal By-law No. 9429

(ii) By-law to amend By-laws 93-069 and 80-259 - Fines

(iii) Debenture Project Cost Amending By-law

E. **H.E.C.F.I.**

Closing of Capital Accounts

F. **COMMISSIONER OF HUMAN RESOURCES**

Appointments to and Terminations from positions with the Corporation of the City of Hamilton.

G. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Information Items

A.

Tuesday, 1995 November 7
1:30 o'clock p.m.
Room 233, City Hall

The Finance and Administration Committee met.

Present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Mayor R. M. Morrow
Alderman M. Kiss
Alderman V. J. Agro
Alderman D. Wilson
Alderman T. Anderson
Alderman C. Collins
Alderman D. Drury

Also Present: Alderman H. Merling
Alderman M. Caplan
J. G. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
D. Vyce, Director of Property
P. Baker, General Manager, Parking Authority
J. Johnston, Commissioner of Human Resources
M. Watson, Real Estate
P. Lampman, Deputy Building Commissioner
J. Hindson, Director of Information Systems
Fire Chief Smith
J. Schatz, City Clerk
Susan K. Reeder, Secretary

A G E N D A

ADDED - Delegation - Hosting request - International Liszt Festival - 1996 October 24-27

Dr. Walker of the International Liszt Festival spoke to the Committee respecting the tabling by City Council at its last meeting of a grant in the amount of $12,000. for the Festival. Dr. Walker wished to clarify that the funding request was not solely to be used to fund the hiring of the Hamilton Philharmonic Orchestra for a Festival event, but rather to pay for administrative costs.

The Committee then discussed this matter and approved the following:

That Section 1 of the Twenty-Fifth Report for 1995 of the Finance and Administration Committee respecting the provision of a grant to the International Liszt Festival, which was tabled until the first City Council meeting in 1996 January, by City Council at its meeting held Tuesday, 1995 October 31st, which reads as follows be reconsidered and approved:

(a) That the City of Hamilton provide a grant in the amount of $12,000. to the International Liszt Festival for the hosting of this event to be held in Hamilton from 1996 October 24 to October 27; and,

(b) That funds be provided from the 1996 Special Civic Receptions and Delegate Hostings Account No. CH 54314 84010.

1. **DELEGATION - Complaint under the Development Charges Act, 190 Limeridge Road West - W. Zimmerman, Solicitor on behalf of T. Valeri Construction Limited**

The Committee was in receipt of correspondence from W. Zimmerman, Solicitor, dated 1995 November 2, respecting the above noted matter.

The Committee was also in receipt of a report from the Chairman of the Development Charges Sub-Committee dated 1995 September 13, respecting the above noted matter. The staff recommendation read as follows:

> That after hearing the evidence and submission of the complainant, Clem Valery, the Council of the Corporation of the City of Hamilton, hereby confirms the development charges imposed on the property located at 190 Limeridge Road West as having been properly imposed pursuant of the City of Hamilton Development Charges By-law #90-74, as amended.

Mr. Zimmerman was in attendance with his client, and spoke to the Committee with respect to the position outlined in his brief. In response, the Deputy Building Commissioner responded to the Committee and made reference to the staff recommendation to deny the appeal.

The Committee then discussed the appeal, and agreed that this matter be tabled in order to allow staff an opportunity to thoroughly review Mr. Zimmerman's brief, as well as to determine whether or not allowing exemption from the Development Charges levied would create precedent.

2. **IN CAMERA AGENDA**

The Committee moved to an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

AA. **CITY SOLICITOR AND COMMISSIONER OF PUBLIC WORKS AND TRAFFIC -City of Hamilton -ats- Kenter; Ontario Court (General Division) Action #7100/94**

(a) That the City resolve Ontario Court (General Division) Action # 7100/94 by the payment to the Plaintiffs, Helen and Paul Kenter of the sum of $3069.49, inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 7100/94 be dismissed without costs.

3. **CONSENT AGENDA**

The Committee was in receipt of its Consent Agenda and approved the following:

A. **MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1995 October 24th; the minutes of its Special meeting held on Tuesday, 1995 October 31st; and the minutes of the Joint meeting of the Parks and Recreation Committee and the Finance and Administration Committee held on Tuesday, 1995 October 31st.

The Committee approved these minutes as circulated.

B. TREASURER

(i) Authorization to enter into Extension Agreements on Specific Properties for the Payment of Realty Tax Arrears

The Committee was in receipt of a report from the Treasurer dated 1995 October 30, respecting the above noted matter and approved the following:

(a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

(i) 1605 King East
(ii) 37 Kenilworth North
(iii) 131 George

(b) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

(ii) Financing of Inch Park/Parkdale Arena Renovations/Additions/Fire and Safety Upgrades

The Committee was in receipt of a report from the Treasury dated 1995 November 1, respecting the above noted matter and approved the following:

(a) That as referred to in Section 11 of the Eighteenth Report for 1995 of the Parks and Recreation Committee, approved by City Council at its meeting held 1995 October 31st, the total additional project cost of $601,177.15 plus G.S.T. in the amount of $643,300. for the Inch Park/Parkdale Arena renovation be approved by the issuance of debenture for a term not to exceed 20 years; and,

(b) That the gross cost and debenture authorization for Inch Park Arena, Account Centre No. CF709441024 be increased by $321,650. to $2,321,650. and $2,208,150. respectively; and,

(c) That the gross cost and debenture authorization for Parkdale Arena, Account Centre No. CF709441023 be increased by $321,650. to $2,321,650. and $2,208,150. respectively; and,

(d) That the gross cost and debenture authorization of the Major Maintenance to Civic Buildings, Account Centre No. CF319541001, be reduced by $117,300. (including G.S.T.) to $946,700. and $883,700.; and,

(e) That the City Solicitor be authorized to revise the By-Law No. 95-034 and 95-098 to reflect the above changes; and,

(f) That the Regional Municipality of Hamilton-Wentworth be requested to consent to the revisions of the debenture authorization noted above for a term not to exceed 20 years; and,

(g) That the City Treasurer be authorized to revise the 1995-2004 Capital Budget to reflect the increased debt requirement for the above project, as follows:

(i) The average debenture charges expressed as a percentage of levy be revised from 11.74% to 11.78% for the ten year period; and,

(ii) The average compound rate of increase per year in debenture charges be revised from 2.18% to 2.23%; and,

(iii) The debt requirement for 1995 be revised from $14,905,000. to $15,431,000., an increase of 3.5%.

C. CITY SOLICITOR - 1994 Debenture Projects

The Committee directed that the 1994 Debenture Projects By-law, attached to the report, be forwarded to City Council for enactment.

D. DIRECTOR OF PROPERTY

(i) Renewal of Lease of Parking Lot Owned by Theatre Aquarius Inc. for the Hamilton Parking Authority

The Committee was in receipt of a report from the Director of Property dated 1995 October 27, respecting the above noted matter.

The Committee approved the following:

(a) That the City of Hamilton exercise its Option to renew the lease of the parking lot owned by Theatre Aquarius Inc. beside the du Maurier Ltd. Centre, being part of 190 King William Street, Hamilton for the continued use as a Hamilton Parking Authority lot under the same terms and conditions as the initial lease, including but not limited to:

(i) The rent payable by the City to Theatre Aquarius Inc. during the Lease renewal shall be:

(1) Fifty percent (50%) of net revenue realized by the Hamilton Parking Authority during the preceding calendar year (or part thereof, as the case may be), provided the minimum rent payable shall be not less than $10,000. per year. Such rent shall be paid to Theatre Aquarius Inc. within sixty (60) days of the end of each calender year;

"Net revenue" is the gross revenue received from the operation of the parking lot after deducting related Parking Authority operating expenses including taxes, utilities, labour, repairs and insurance; and,

(2) Issuance - at 50% of cost, monthly day passes requested by Theatre Aquarius Inc.; - at no cost, monthly day passes to Theatre Aquarius Inc. staff and 24 hour passes to the Executive Director and to the Production Director; and,

(b) That Theatre Aquarius Inc. pay hydro power charges. The Parking Authority shall maintain and operate the parking lot, including payment of business and realty taxes; and,

(c) That the lease be renewed for the period from 1994 December 1 to 1997 September 30.

(ii) Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property

The Committee was in receipt of a report from the Director of Property dated 1995 October 27, respecting the above noted matter and approved the following:

That the property at 771 Queenston Road be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049.

E. CITY CLERK

(i) Use of Council Chambers - Book Launch

The Committee was in receipt of a report from the City Clerk dated 1995 October 30, respecting the above noted matter and approved the following:

That approval be given to the University of Toronto Press Inc. to use the Council Chamber on Wednesday, 1995 November 29 at 5:00 p.m. for the launching of "Saturday's Child", the Memoirs of Canada's First Female Cabinet Minister, the Honourable Ellen Louks Fairclough.

(ii) Use of Forecourt - Ontario Social Justice Coalition Rally

The Committee was in receipt of a report from the Acting City Clerk dated 1995 November 3, respecting the above noted matter and approved the following:

That approval be given to the request of the Ontario Social Justice Coalition to use the City Hall Forecourt and related equipment on Tuesday, 1995 November 21 from 4:00 p.m. to 6:00 p.m. for a Rally with regard to the Provincial cut backs.

F. REFERRAL FROM REGIONAL COUNCIL - Second Level Lodging Home By-law (to be referred to staff for a report back)

The Committee was in receipt of correspondence from Regional Council dated 1995 October 18, respecting the above noted matter.

The Committee agreed to receive this correspondence and refer it to the City Clerk for a report back on the proposal.

G. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items

The Committee was in receipt of an Information Report from the Secretary of the Finance and Administration Committee dated 1995 November 3, respecting the above noted matter and approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1995 September 30th

(b) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1995 September 30th

(c) Information Report - Mayor Morrow - Financing 1995 International Great Lakes/St. Lawrence Mayor's Conference

(d) Information Report - Treasurer - Sale of Tax Arrears Properties - report dated 1995 October 24th

4. MAYOR ROBERT M. MORROW

(a) Donation of Painting - Mr. & Mrs. Allen Gould

The Committee was in receipt of a report from the Mayor dated 1995 October 19, respecting the above noted matter.

The Committee approved the following:

(a) That Council approval be given for the acceptance by the City of the donation of a painting (untitled) by Diane Haber from the collection of Mr. and Mrs. Allen Gould of Hamilton; and,

(b) That the painting be hung on a long-term basis in the corridor area of the Studio Theatre at Hamilton Place, as the donor has requested; and,

(c) That the Treasurer issue a receipt for Income Tax purposes to Mr. Gould equivalent to the value of the donation.

(b) Letter of Greeting - NHL Oldtimers Benefit Hockey Game Souvenir Program - Hamilton East Kiwanis Club - Camp Maple Leaf

The Committee was in receipt of a report from the Mayor dated 1995 October 24, respecting the above noted matter.

The Committee approved the following:

(a) That the City of Hamilton place a one page greeting from the Mayor in the NHL Oldtimers Benefit Hockey Game - 1995 November 26 - Souvenir Program at a cost not to exceed $650.; and,

(b) That funds for this expenditure be provided from Account No. CH 56302-12001 (Advertising and Promotion).

5. CHIEF ADMINISTRATIVE OFFICER - Architectural Division

The Committee was in receipt of a report from the Chief Administrative Officer dated 1995 October 13, respecting the above noted matter.

The Committee approved the following:

(a) That the following two positions be transferred from the Property Department to the Culture and Recreation Department effective Monday, 1995 November 20:

(i) 1 Senior Project Manager
(ii) 1 Administrative Assistant

(b) That the following three positions be transferred from the Property Department to the Building Department effective Monday, 1995 November 20:

(i) 1 Manager
(ii) 1 Senior Project Manager
(iii) 1 Architectural Support Technician

(c) That all 5 of these positions being relocated have their present responsibilities merged with the additional responsibilities in their new portfolios and that new job descriptions be created and evaluated by 1996 January 31; and,

(d) That the responsibility for design and implementation of Barrier Free Improvements to Culture and Recreation Facilities be the responsibility of the staff resident in the Culture and Recreation Department; and,

(e) That the responsibility for the design and implementation of Barrier Free Improvements to the balance of the Corporation buildings be the responsibility of the staff resident in the Building Department; and,

(f) That the capital funding for Architectural Division fees (project management) in the capital projects already in progress be left in place until 1995 December 31; and,

(g) That the City's Capital Budget Sub-Committee review these Capital Projects to determine how much capital funding can be returned to its original source of funding; and,

(h) That Architectural Division fees continue to be capitalized and charged to Capital Projects up to and including 1995 December 31, following which date, project management fees will be funded entirely through the operating budget; and,

(i) That the gross cost estimates for Capital Projects being resubmitted into the 1996-2005 Capital Budget Program, be adjusted to exclude estimated funding of $2,758,710. for Architectural Division fees (project management); and,

(j) That the Treasurer be directed to establish the annualized base for the 2 staff being transferred to the Culture and Recreation Department and for the 3 staff being transferred to the Building Department, effective 1996 January 1.

6. PROPERTY/TAXATION PROJECT STEERING COMMITTEE - Property/Taxation Project

The Committee was in receipt of a report from the Property/Taxation Project Steering Committee dated 1995 October 30, respecting the above noted matter and approved the following:

(a) That staff be authorized to participate with Scarborough and Mississauga in a joint request for proposals to evaluate the availability of packaged property tax systems on the open market or otherwise issue a request for proposals for a packaged property tax system; and,

(b) That staff report back to the Finance and Administration Committee regarding the findings of the request for proposals, and recommendations concerning the future direction for property/taxation system development.

7. DIRECTOR OF PROPERTY - Offer to Purchase - Sale of City Property 253-257 Kenilworth Avenue North, Former Tavern to 843829 Ontario Inc. carrying on business as SD & D Construction (Tony Sciara, President)

The Committee was in receipt of a report from the Director of Property dated 1995 October 30, respecting the above noted matter.

The Committee approved the following:

(a) That an Offer to Purchase Agreement, duly executed by 843829 Ontario Inc., carrying on business as SD & D Construction (Tony Sciara, President) on 1995 October 23 and scheduled to close on or before 1996 April 30, for the lands municipally described as 253-257 Kenilworth Avenue North, being Lots 45, 46 and 47, Block W, Registered Plan No. 395, Hamilton, having a frontage of 22.86 metres (75.0 feet) more or less, along the west side of Kenilworth Avenue North and a depth of 30.48 metres (100 feet) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $85,000., less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $4,250. be held by the City Treasurer pending Council approval; and,

(c) That upon successful completion of this sale, a real estate commission of 5% on the $85,000. sale price be paid to HomeLife/State Realty Limited (Sales Representative Joseph Gamero), who acted in this matter; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(e) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory notice has been given to the public of the intended sale; and,

(ii) An appraisal of the fair market value of the real property intended to be sold was obtained on 1995 September 29 and received on 1995 November 7; and,

(iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

8. 1996 - 2005 PROVISIONAL CAPITAL BUDGET PROGRAM

The Committee was in receipt of reports on the 1996 - 2005 Provisional Capital Budget Programmes from the following Departments:

(i) Property Department
(ii) City Clerk's Department
(iii) Capital Grant Submission
(iv) Fire Department
(v) Hamilton Public Library

The Committee approved the following with respect to these reports:

(a) That the attached Capital Grant submissions be considered for inclusion in the ten year 1996-2005 Provisional Capital Budget; and,

(b) That these Capital projects be reviewed by the Management Team (Capital Budget Sub-Committee) for consideration of the Committee of the Whole and Council.

With respect to the Provisional Capital Budget submission for H.E.C.F.I., the following recommendation was approved:

(a) That the capital projects of the Hamilton Entertainment and Convention Facilities Inc. (HECFI) be considered for inclusion in the ten year 1996 - 2005 Provisional Capital Budget; and,

(b) That these capital projects be reviewed by the Management Team (Capital Budget Sub-Committee) for consideration of the Committee of the Whole and Council; and,

(c) That HECFI's ten year (1996 - 2005) Provisional capital budget programme be financed from HECFI's Reserve for Capital Projects, Hamilton Place ticket surcharge reserve and Copps Coliseum ticket surcharge reserve; and,

(d) That the future implementation of capital projects be contingent on the availability of continued funding from HECFI's Capital Reserves (as outlined above).

9. OTHER BUSINESS

Alderman Merling spoke to the Committee about a few issues of concern.

Space leased in Copps Coliseum to Champions

Alderman Merling requested that a review of the rental agreement of leased space in Copps Coliseum to Champions be undertaken, and in this regard the Committee that the Director of Property should provide a report back to them on this matter.

Parking Authority Board

Alderman Merling requested consideration of increasing the composition on the Hamilton Parking Authority Board from 3 to 5 members. Some discussion ensued on this matter, and the Committee agreed that a staff report should come back to them on what would be required to change the composition, as well as background information on the type of structures of Parking Authorities in other municipalities.

10. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder.

Susan K. Reeder
Secretary
1995 November 7

B.(i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 10

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: **Culture & Recreation Department and Sesquicentennial Committee**
-Use of Council Chamber
New Year's Eve/First Night Celebration

RECOMMENDATION:

(a) That approval be given to the request of the Culture and Recreation Department to use the Council Chamber on Saturday, 1995 December 9 from 1:00 p.m. to 4:00 p.m. for First Night Volunteer Orientation, and on Sunday, 1995 December 31 from 9:00 a.m. to midnight for a story telling room during the First Night celebrations, and;

(b) That approval be given to the request of the Sesquicentennial Committee to affix a coloured plastic film of the Sesquicentennial logo on the east and west windows of the Council Chambers, to be "unveiled" on First Night and remain on display throughout 1996, the Sesquicentennial Year.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Account CH55222 10034 - Use of City Facilities by outside groups, for additional Property Maintenance and Security Staff overtime associated with this event in the approximate amount of $1,000.

The cost of the Sesquicentennial Logo will be borne by the Sesquicentennial Committee.

cont'd ...2

BACKGROUND:

The Culture and Recreation Department have received approval from City Council to use the forecourt and first floor washroom facilities annually on the occasion of the First Night Celebrations.

This year, the Culture & Recreation Department are requesting the additional use of the Council Chambers on December 9 for an orientation for the volunteers, and again, on December 31 for a storey telling room during the First Night Celebrations.

As the First Night Celebrations will launch the Sesquicentennial Year, the Sesquicentennial Committee are requesting that a logo printed on plastic film be placed on the Council Chamber, east and west outer windows, to be on display throughout 1996. The plastic film will be easily removed and will not cause damage to the building or windows.

cc Mayor's Office
Carmen Rizzotto, Sesquicentennial Committee Executive Director
Rob Swan, Manager, Property & Maintenance Division
Shelly Merlo-Orzel, Culture & Recreation Department
Information Desk

B. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 6

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: **Use of Second Floor - Ontario March of Dimes**

RECOMMENDATION:

That approval be given to the Ontario March of Dimes request to change the date when the paper ability tree will be placed on the second floor at City Hall, from the month of November 1995 to January 10 - February 10 1996.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Recently, City Council, on the recommendation of the Finance and Administration Committee, approved the request of the Ontario March of Dimes to place a paper ability tree on the second floor at City Hall during the month of November 1995. The tree would be similar to the tree in the March of Dimes Logo and the names of all donors who contribute over $200. would be placed on the tree.

The Ontario March of Dimes have now rescheduled their program and are requesting approval to place the paper ability tree on the second floor from January 10 - February 10 1996, instead of November 1995.

cc Mayor's Office
Rob Swan, Manager, Building Operations & Maintenance Division
Information Desk

C. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 8

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing - Purchase of three 25 Yard Refuse Packers

RECOMMENDATION:

a) That the total additional requisition cost of 3 Refuse Packers including all applicable taxes in the amount of $38,713.05 be financed from the 1995 Capital Levy; and

b) That the gross cost of the above Account Centre No. CF 609551018 be increased from $360,000. to $398,713.05 by $38,713.05.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Capital levy required to finance all of the Local Improvement Works for 1995 is not expected to be used in full. The part of the unallocated portion of the Capital Levy is used to finance this project. Council authorized that any unallocated portion of the Capital Levy be transferred to the Reserve for Capital Projects at the year end for future financing of capital projects.

BACKGROUND:

The details of the project are outlined in the enclosed letter of Mr. D. Lobo, Commissioner of Public Works and Traffic, dated 1995 November 6.

NRA:jc
Encl.

c.c. D. Lobo, Commissioner of Public Works & Traffic
John Avery, Assistant Manager of Purchasing

95.0133
95.0418

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 6

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. Lobo
Commissioner of Public Works and Traffic

SUBJECT: Purchase of three (3) 25 Yard Refuse Packers,
Fleet Services

RECOMMENDATION:

a) That a purchase order be issued to Freightliner Mid-Ontario, Rexdale, in the amount of $398,713.05, including all applicable taxes, for the purchase of three (3) Refuse Packers for Fleet Services, being the lowest acceptable of six tenders received in accordance with specifications issued by Purchasing and Vendor's tender.

b) That the purchase of the (3) Refuse Packers be funded in an amount of $360,000 from Capital Funds Account # CF5200 609551018, and

c) That the Finance and Administration Committee recommend the method of financing the unbudgeted balance of $38,713.05.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the Leaf and Yard Waste Program. The capital acquisition costs up to $360,000 are carried within the Capital Budget Program, item number 90, as approved by City Council on March 9, 1995.

An amount of $38,713.05 requires funding above that carried in the approved capital budget submission.

Separating leaf and yard waste from residential waste to facilitate composting, has been mandated by the provincial government. The citizens of Hamilton will benefit from a leaf and yard waste management plan as the composting of these materials will reduce waste, conserve landfill space and reduce net costs.

Since landfilling and incineration costs to this municipality are approximately two times the current costs of composting, then leaf and yard waste management while increasing costs through separate collection and diversion, will cause offsetting reductions in the overall costs for waste management.

The details of the leaf and yard waste management will be forwarded through a separate report to the Transport and Environment Committee.

BACKGROUND: Tender Analysis

Hamilton Truck Service Ltd., Hamilton	$397,681.50*
Majeda Industries Ltd., Etobicoke	398,240.40**
Freightliner Mid-Ontario, Rexdale	398,713.05
Capital Disposal Equipment, Rexdale	399,775.65
Carrier Truck Centre, Brantford	404,547.00
Altruck Transportation Services, Hamilton	410,377.50

* This company has qualified their bid by the addition of payment terms that would increase the total acquisition cost by approximately $3,000.00.

** The Refuse Packer Bodies bid by this company do not meet specification in several area as follows:

1) Packer body top and sides with 3/16 inch, 80,000 psi. minimum yield strength, abrasion resistant 500 steel was specified. The packer offered has only 11 gauge top with 50,000 psi. yield strength, and 10 gauge sides with a yield strength of 50,000 psi..

2) Hopper sides constructed of 3/16 inch steel with a yield strength of 80,000 psi. minimum was specified. The hopper offered has 1/4 inch steel with a yield strength of only 50,000 psi..

3) Body floor constructed of 3/16 inch, 100,000 psi. yield strength minimum was specified. The floor of the packer offered has a floor constructed of 10 gauge steel with a yield strength of only 50,000 psi..

4) The hydraulic tank will be saddle mounted for easy access was specified. The packer offered has the hydraulic tank mounted behind the chassis cab.

This tender was advertised and twelve suppliers requested to bid. Six responded and six did not reply.

CFE DM/CFE/rb

cc: C. Guthro, Manager of Fleet Services
J. Avery, Assistant to Manager, Purchasing
D. Manningham, Vehicle Acquisition Officer
L. Barker, Administrative Co-ordinator

C. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears

RECOMMENDATION:

1) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994:

17 Delena N 110 Hess S

2) That the attached by-law to authorize the said Extension Agreements be enacted by Council.

3) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The execution of the by-law and agreements, where required, will defer the City's right to sell the lands for tax arrears for a maximum period of 24 months; however, the City will be in receipt of regular monthly payments towards current and prior years arrears over the term of the agreements.

BACKGROUND:

Section 8 of the Municipal Tax Sales Act provides that the municipality, by a by-law passed after the registration of the tax arrears certificate and before the expiry of the one-year period for redemption, may authorize an extension agreement with the owner of the land extending the period in which the cancellation price is to be paid. On June 28, 1994, in accordance with this legislation, Council approved a policy authorizing the City to enter into extension agreements with taxpayers providing certain conditions were met.

The owner of a property which has been registered for tax arrears may request the City to consider an extension agreement at any time up to and including the final day on which the redemption period expires. Administratively, there may not be sufficient time to obtain the necessary Council approval of the by-law prior to this deadline. Accordingly, staff are requesting advance authorization for the City to enter into extension agreements, if necessary, with the owners of the above specific properties providing they meet the conditions outlined in the policy adopted by Council on June 28, 1994.

In certain instances when all of the conditions in the extension agreement policy are not met the Treasurer should be allowed the latitude to recommend an extension agreement be entered into if it is deemed to be in the best financial interest of the municipality. Under these circumstances a separate report would be provided to the Committee for deliberation and approval.

During the initial months of this repayment option it has been ascertained that operational time constraints, e.g. writing of reports, council approvals, make it necessary to have the authorization to enter into these extension agreements pre-approved. Accordingly, in the month that the legislated final notices for the tax registration process are mailed out (280 days from the registration date), a listing of all those properties for which the owners may wish to enter into an extension agreement will be forwarded to Committee and Council for approval. Owners who show an interest in entering into an extension agreement with the City prior to the mailing of the final notices, will be added to the monthly reports as required.

/TAB

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1995, A.D.,

CITY CLERK **MAYOR**

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	17 Delana Street S.
	SERIAL NUMBER	05 04130 0040
	BRIEF LEGAL DESCRIPTION	Plan 556 Lot 126
	DATE OF REGISTRATION	October 17, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM219526
	REDEMPTION DATE	October 17, 1996
	TOTAL ARREARS	$8,535.23
B)	PROPERTY ADDRESS	110 Hess Street S.
	SERIAL NUMBER	02 01310 0250
	BRIEF LEGAL DESCRIPTION	Survey GS Tiffany Part Lot 5 Part Lot 6
	DATE OF REGISTRATION	September 26, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM218063
	REDEMPTION DATE	September 26, 1996
	TOTAL ARREARS	$14,375.85

D. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 8

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: By-law to Repeal By-law No. 9429

P Noé Johnson

RECOMMENDATION:

That the attached By-law be enacted by Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On 1961 August 8 the City of Hamilton passed Expropriation By-law No. 9429 thereby expropriating four parcels of land in the Lake Avenue area in connection with the creation of the Stoney Creek Drainage Area. On 1963 April 30 the City, by virtue of By-law No. 10044, released three of the four parcels of land from expropriation. The City subsequently in 1963 acquired through purchase all lands it required for the drainage purpose. The fourth parcel was never released from expropriation through the repeal of By-law No. 9429.

During a recent title search executed by the solicitors for the current owners of a portion of the lands, Canadian Auction Group, the title problem was disclosed. A request has been made that the City repeal said by-law and thereby eliminate the cloud on title.

The Roads Department has reviewed the matter and has made the determination that the City has obtained, through purchase, all the lands which it requires. The expropriation by-law is, in fact, a cloud on the title of the lands which it affects and should be removed. The Law Department has made the determination that the appropriate means of clearing title is to cause the enactment of a repealing by-law.

c.c. Mr. E. M. Gill, Senior Director of the Roads Department
Attn: Kin Lau, Manager of Surveys

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95 -

TO AUTHORIZE THE REPEAL OF BY-LAW NO. 9429

IN RESPECT OF THE EXPROPRIATION OF CERTAIN LANDS

WHEREAS by By-law 9429 entitled "A By-Law to Expropriate Certain Lands in the area bounded by The Queen Elizabeth Way, Grays Side Road, Queenston Road and No. 20 Highway in connection with Sewers and Watercourses" enacted on the 8th day of August, 1961, The Corporation of the City of Hamilton expropriated the parcels of land therein described; and

AND WHEREAS by By-Law No. 10044 entitled "A By-law to Amend By-law 9429 which expropriated certain lands in the (Stoney Creek Drainage) area bounded by the Queen Elizabeth Way, Grays Side Road, Queenston Road and No. 20 Highway in connection with Sewers and Watercourses" it was deemed expedient to release from expropriation three of the four parcels of land described in By-law 9429; and

AND WHEREAS it is now deemed expedient to release the fourth and final parcel of land, described in Schedule "A" attached hereto, from expropriation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law 9429 is hereby repealed in its entirety; and

2. The City Solicitor is hereby authorized to register the herein by-law on title to the lands described in Schedule "A" attached hereto.

PASSED this day of November A.D. 1995

CITY CLERK MAYOR

(1995) * R.F.A.C. *, Nov. 29

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, Province of Ontario and being composed of parts of Lots 24, Concession 1, Township of Saltfleet (now in the City of Hamilton) and which said parcel may be more particularly described as follows:

COMMENCING at a point in the southern limit of the Queen Elizabeth Way as shown on a plan prepared by the Department of Highways, Ontario and deposited in the Registry Office for the Registry Division of the County of Wentworth as Plan No. 180 Miscellaneous distant three hundred and thirty-four feet (334'0") measured easterly thereon from the eastern limit of Lake Avenue, (road allowance between Lots 24 and 25).

THENCE southerly parallel to the said eastern limit of Lake Avenue, nine hundred and fifty feet (950'0").

THENCE south-westerly in a straight line three hundred and fifty feet (350'0") more or less to a point in the said eastern limit of Lake Avenue distant therein one thousand and sixty feet (1,060'0") from the said southern limit of the Queen Elizabeth Way.

THENCE southerly along the said eastern limit of Lake Avenue two hundred and ninety feet (290'0") more or less to the northern limit of the lands of the Hydro Electric Power Commission of Ontario.

THENCE easterly along the said northern limit of the Hydro Electric Power Commission of Ontario lands to its intersection with the eastern limit of the water's edge of the Stoney Creek Pond, being the eastern limit of the lands secondly described in Instrument No. 48204 Saltfleet.

THENCE northerly along the water's edge of Stoney Creek Pond to the said southern limit of the Queen Elizabeth Way.

THENCE westerly along the said southern limit of the Queen Elizabeth Way five hundred and sixty-seven feet (567'0") more or less to the place of beginning.

As secondly described in Instrument No. 171666 HL

D. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 3

REPORT TO: S. K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: By-law to Amend By-laws 93-069 and 80-259 - Fines

RECOMMENDATION:

That the attached By-law be enacted by City Council.

P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

City Council, on October 31, 1995, in adopting Item No. 20 of the 25th Report of the Finance and Administration Committee authorized and directed the City Solicitor to prepare the attached by-law to amend By-laws 93-069 and 80-259 respecting increased fines for licensing by-laws. The maximum fines for an offence under these by-laws has been increased from $5,000 for each offence, to $25,000 for an individual and $50,000 for a corporation.

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

By-laws 93-069 and 80-259

Respecting:

FINES

WHEREAS various trades, calling businesses and occupations are licensed through By-law 93-069, and second level lodging houses are licensed through By-law 80-259;

AND WHEREAS the Municipal Act, R.S.O. 1990, c.M-45, section 329, has been amended to provide for an increase in the maximum fines for licensing by-laws, from $5,000 for each offence as previously provided in the Provincial Offences Act, R.S.O. 1990, c.P-33;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 20 of the 25th Report of the Finance and Administration Committee, at its meeting held on the 31st day of October, 1995, directed that the by-laws be further amended to provide for the increased fines;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Licensing By-law No. 93-069 as amended, be further amended by repealing and replacing section 18 with the following:

> "18. (1) Subject to (2), every person who contravenes this by-law, and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and on conviction is liable to a fine not exceeding $25,000.00.
>
> (2) Where a corporation is convicted of an offence under this by-law, the maximum penalty that may be imposed on the corporation is $50,000.00 and not as provided in (1)."

2. Licensing By-law No. 80-259 as amended, be further amended by repealing and replacing subsection 49(1) with the following:

> "49 (1) Subject to (1a), every person who contravenes this by-law, and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and on conviction is liable to a fine not exceeding $25,000.00.
>
> (1a) Where a corporation is convicted of an offence under this by-law, the maximum penalty that may be imposed on the corporation is $50,000.00 and not as provided in (1)."

3. In all other respects By-law 93-069 and By-law 80-259, both as amended, are hereby confirmed without change.

PASSED this day of November A.D. 1995.

CITY CLERK MAYOR

D. (iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 1

NOV 6 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: **Debenture Project Cost Amending By-law**

RECOMMENDATION:

That the attached By-law be enacted by City Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On August 29, 1995, City Council in adopting Section 15 of the 19th Report of the Finance and Administration Committee authorized the City Solicitor to prepare a By-law to amend the total authorized cost of the Roadway and Sidewalk Reconstruction Program.

LEF:as

c.c. A. Ross, Treasurer
Attention: G. Keith

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend

By-law No. 95-090

Respecting

1995 DEBENTURE PROJECTS AND AMOUNTS

WHEREAS By-law No. 95-090 was enacted on April 11, 1995 and included the Roadway and Sidewalk Reconsruction Program as a project;

AND WHEREAS City Council, on August 29, 1995, in adopting Item No. 15 of the 19th Report of the Finance and Administration Committee authorized an amendment to the 1995 Debenture Projects to increase the authorized cost of the 1995 Reconstruction Program - Local Roads by $100,000.00;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Paragraph 4 of Schedule "A" of By-law No. 95-090 is amended by removing paragraph 4 and replacing it with the following:

SCHEDULE "A" TO BY-LAW NO. 95-090

	Project	Gross Cost	Subsidy Receipts	Capital Levy Financing	Net Debenture Authorization
85.0	Roadway and Sidewalk Reconstruction Program - Local Roads - Phase I	$ 7,325,000	$1,806,000	$100,000	$5,419,000

2. The total columns of Schedule "A" are repealed and replaced with the following:

$11,986,000	$2,131,000	$163,000	$9,692,000

PASSED this day of , 1995.

CITY CLERK MAYOR

(1995) 19 R.F.A.C. 15, August 29

Hamilton Entertainment and Convention Facilities Inc.

-RECOMMENDATION-

E.

DATE: 1995 November 12

NOV 16 1995

REPORT TO: Mrs. Susan Reeder, Secretary
FINANCE AND ADMINISTRATION COMMITTEE

FROM: Patricia Bennett, Secretary
H.E.C.F.I. Board of Directors

SUBJECT: **CLOSING OF CAPITAL ACCOUNTS**
The Hamilton Entertainment and Convention Facilities Inc.

RECOMMENDATION:

THAT THE FOLLOWING H.E.C.F.I. CAPITAL ACCOUNTS WITH $260,121.47 IN EXCESS FINANCING BE RETURNED TO THE H.E.C.F.I. RESERVE ACCOUNT FOR CAPITAL PROJECTS:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended Committed To Date	Balance Available
CF 928851003	Hamilton Place Replace Sound System	$202,000.	$201,926.34	$ 73.66
CF 929151016	Hamilton Place Sound/Lighting Equipment	$ 83,000.	$ 82,920.51	$ 79.49
CF 929241003	Convention Centre Refurbish Renovate Wentworth Exhibition Hall	$250,000.	$249,997.60	$ 2.40
CF 929441027	Convention Centre Wentworth Exhibition Hall Renovations	$ 70,000.	$ 3,155.	$ 66,845.

Copps Coliseum

Capital Centre Number	Project Description	Authorized Gross Cost	Expended Committed To Date	Balance Available
CF 929441030	Hamilton Place Refurbish Exterior Sign	$230,000.	$164,132.	$ 65,868.
CF 929541015	Convention Centre Carpet Replacement	$350,000.	$222,747.08	$127,252.92
			TOTAL:	**$260,121.47**

Patricia Bennett
Legislative Assistant

BACKGROUND:

- The H.E.C.F.I. Board of Directors approved the foregoing recommendation at its Regular meeting held October 27, 1995.

F.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 7

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton (C-042-095)

RECOMMENDATION:

That the attached listing of Appointments To and Terminations from Permanent positions with the Corporation to 1995 November 9 be approved.

JJ/mb

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Barbara Dawson	I	Title Searcher/Legal Clerk (15D)	Law	Replacing Ms. D. Gagnon - promoted Aug. 28/95	$32,332.04 to $37,077.04	Oct. 23/95
Mr. Douglas Hewson	I	Yard Attendant (D15)	Public Works	Replacing Mr. D. Clinch - retired Dec. 31/93	$36,416.64	March 07/94
Ms. Rose MacGowan	I	Caretaker (5C)	Property	Replacing Mr. R. Ladniak - resigned, Aug. 29/95	$26,606.32 to $28,919.28	Aug. 30/95
Mr. Robert Taylor	I	Lead Hand/Truck Driver (D17)	Public Works	Replacing Mr. P. Defelice - retired, Oct. 01/95	$37,146.72	Oct. 10/95
Mr. Peter Vellenga	I	Truck Driver (D13)	Public Works	Replacing Mr. A. Diligenti terminated, June 25/95	$35,686.56	June 26/95

Prepared November 9, 1995

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Robert Taylor	I	Lead Hand/Truck Driver (D17)	Public Works	Replacing Mr. P. Defelice - retired, Oct. 01/95	$37,146.72	Oct. 10/95
Mr. Peter Vallenga	I	Truck Driver (D13)	Public Works	Replacing Mr. A. Diligenti terminated, June 25/95	$35,686.56	

Prepared November 9, 1995

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. James Arnold	Firefighter I	Fire	Retired	30 years	Nov. 01/95
Mr. Bauwe Bethlehem	Building Inspector	Building	Retired	32 years, 1 month	Sept. 29/95
Mr. Dennis Carson	Executive Assistant	Mayor's Office	Retired (Early)	10 years, 7 months	Sept. 29/95
Ms. Marjorie Denton	Curator	Culture & Recreation	Resigned	17 years, 5 months	Nov. 01/95
Mr. Pat DiFelice	Lead Hand/Truck Driver	Public Works	Retired	25 years, 4 months	Sept. 28/95
Mr. Gunter Dohnt	Lead Hand/Truck Driver	Public Works	Retired	33 years, 6 months	Sept. 29/95
Ms. Gyula Fawcett	Comm Adjustment Administrative Clerk	Building	Retired	14 years, 5 months	Sept. 29/95
Mr. Gordon Flett	Firefighter I	Fire	Retired	30 years	Oct. 31/95
Ms. Sandra Johnson	Secretary Client Services	H.E.C.F.I.	Resigned	7 years, 3 months	Sept. 26/95
Mr. John Keough	Labourer	Public Works	Retired	25 years, 4 months	Sept. 29/95
Ms. Zeltite Knowles	Cartographic Technician	Planning	Retired (Early)	21 years	Sept. 29/95

Prepared November 9, 1995

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	SERVICE	DATE
Mr. Larry Krouse	Labourer	Cemetery	Retired (Early)	22 years	Sept. 29/95
Mr. Joe Machida	Supervisor Accounts Payable	Treasury	Retired (Early)	29 years, 7 months	Sept. 29/95
Mr. Anthony MacKinnon	General Foreman/Woman	Public Works	Retired	25 years, 1 month	Sept. 29/95
Ms. Helen Malham	Licence Steno I	City Clerk's	Retired	16 years	Nov. 30/95
Mr. Bradley McCoy	Parking Control Supervisor	Traffic	Retired	17 years, 3 months	Sept. 29/95
Ms. Dolores McPhail	Parking Violations Clerk	Traffic	Retired	16 years, 8 months	Sept. 29/95
Mr. Fred Rolfe	Greenskeeper II/RinkII	Public Works	Resigned	11 years, 4 months	Oct. 11/95
Mr. Al Rochead	Truck Driver	Public Works	Retired	22 years, 10 months	Oct. 31/95
Mr. William Sargeant	Zoning Examiner/Code Correlator	Building	Retired	31 years, 7 months	Sept. 29/95
Mr. John Tabone	Caretaker	Property	Retired	22 years, 9 months	Sept. 29/95
Ms. Bonnie Turnbull	Admin Assistant II	Treasury	Retired	15 years, 4 months	Sept. 29/95
Mr. Raymond Vallier	Tractor Operator	Public Works	Retired	24 years, 1 month	Sept. 29/95

Prepared November 9, 1995

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

G.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1995 November 17

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1995 October 31st

(b) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1995 October 31st

(c) Information Report - Chief Administrative Officer - Chief Administrative Office Quarterly Report as at 1995 September 30th

(d) Information Report - Treasurer - Treasury Department Quarterly Report as at 1995 September 30th

(e) Information Report - Director of Property - Property Department Quarterly Report as at 1995 September 30th

(f) Information Report - City Clerk - City Clerk's Department Quarterly Report as at 1995 September 30th.

(g) Information Report - Fire Chief - Fire Department Quarterly Report as at 1995 September 30th

Information Items

(h) Correspondence - City of Brampton - Business Immigrant Investor Program - letter dated 1995 November 1

(i) Information Report - Chief Executive Officer, Hamilton Public Library - Quarterly Report as at 1995 September 30th

(j) Information Report - Commissioner of Human Resources - Human Resources Quarterly Report as at 1995 September 30th

(k) Information Report - H.E.C.F.I. Quarterly Report as at 1995 September 30th

(l) Information Report - Treasurer - Financial Accounts and Other Non-Departmental Quarterly Reports as at 1995 September 30th

(m) Information Report - Director of Information Systems - Departmental Quarterly Report as at 1995 September 30th

(n) Information Report - City Solicitor - Departmental Quarterly Report as at 1995 September 30th

Susan K. Reeder.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

URBAN/MUNICIPAL
CA4 ON HBL A05
C51F 31H
1995

Municipal Librarian

URBAN MUNICIPAL
NOV 20 1995
GOVERNMENT DOCUMENTS

NOTICE OF MEETING

Hamilton Farmers' Market Sub-Committee
Wednesday, 1995 November 29
12:00 o'clock noon
Room 233, City Hall

Stephanie Miller
Secretary

AGENDA

1. Minutes of previous meeting held Wednesday, 1995 February 20

   (a) West entrance doors

2. Rent Arrears Policy

3. Market Lighting

4. Encroachments

5. Christmas/New Year's Market Days - Information only

6. Other Business.

7. Adjournment.

Wednesday, 1995 February 20
12:00 o'clock noon
Room 233, City Hall

The Hamilton Farmers' Market Sub-Committee met.

There were present: Alderman D. Agostino, Chairperson
Alderman T. Anderson, Vice Chairperson
Yvonne Banks, President, Stallholders Association
Mario Beltrano
Carmen Misale
Yolanda Cannella Giulietti
Lena Holstein
Ted Vos

Also present: Stan Hollowell, City Clerks Office
Pierina Legendza
Carman Chiarelli
Stephanie Miller, Market Manager

1. NEW STALLHOLDER REPRESENTATION

Yvonne Banks, President Stallholders Association, introduced the newly elected stallholder executive as follows:

Yvonne Banks
Mario Beltrano
Yolanda Cannella Giulietti
Lena Holstein
Carmen Misale
Ted Vos
Nick Giannini
Ken Holstein

Alderman Agostino extended a warm welcome to the new members and expressed a desire to work together for the benefit of the Market.

2. DOWNTOWN RE-DEVELOPMENT AND PARKING

Yvonne Banks gave a two-part presentation to the committee, which addressed the following areas of concern:

a. Downtown Re-development
b. Parking

The downtown re-development report and the parking report echoed very similar concerns currently affecting the core area of Hamilton.

The historical value of the Market was also emphasized as it plays a major part in the downtown core. Yvonne Banks appealed to the committee for it's support and further assistance in directing the Farmers' Market to become involved with every aspect possible in the re-development and revitalization of the downtown core.

The problem of parades and parking were identified as being major issues currently having an impact on the Market. With regards to parades, Ald. Agostino suggested that the Stallholders Executive request to appear as a delegation before the Transportation Services Committee to express concerns relative to the current scheduling of parades on Saturdays and request the Committee to reschedule parades to Sundays.

With regards to parking, Ald. Agostino suggested that the Stallholders Executive prepare a report and ask to make a presentation to the Parking Authority to discuss further parking meters, the Park in the Heart Campaign and a special discount campaign for the Market.

Stan Hollowell briefly advised the Committee that City Council was taking an active role to assist in the renewal of the downtown core requesting the Parking Authority to report to City Council with respect to what parking initiatives are possible in this area.

Following discussions, the Committee agreed to recommend the following to the Finance and Administration Committee:

a. That in order to promote the prosperity of business and encourage the use of city owned facilities and demonstrate the city's commitment to downtown revitalization, this committee recommends and supports the immediate implementation of a 2 hour free parking on all downtown city lots and meters.

b. That a copy of both reports, Downtown Re-development and Parking be referred to the Finance and Administration Committee for formal approval.

3. DOUBLE DOORS

Stan Hollowell made a presentation concerning double doors on Fred Bristol's behalf, as he was unable to attend the meeting. He confirmed that the double door project was not included in the Capital Budget and further, Property Maintenance does not support the idea as an energy saving project although they would be willing to prepare a cost proposal for the Committee's review.

May Toth suggested that the proposal include various issues that may affect physically challenged persons.

Following discussion the Committee requested that staff prepare a full report of all costs and cost savings for the installation of exterior doors at both east and west entrances to the Market.

4. 1995 ADVERTISING

The Committee received a presentation from Yolanda Cannella Giulietti, requesting the support and approval of the Committee to utilize the sidewalk space on the south side of York Blvd. along the side of the Market building.

Following discussion, the Committee adopted the following recommendations:

a. That the Chairperson arrange for a delegation of the Farmers' Market Sub-Committee to appear before the Transportation Services Committee.

b. That the Farmers' Market Sub-Committee support the idea in principal.

Yolanda Cannella also requested that a banner be placed across York Blvd. Ald. Agostino suggested that a request be forwarded to the Transportation Services Committee.

5. RENT ARREARS

Stan Hollowell informed the Committee that all 1994 rent arrears were received and paid in full.

He advised the Committee that rent arrears at the Market is an ongoing problem which needs to be addressed, but not in the way that Section 2 of the Hamilton Farmers' Market Contract currently provides for. It provides for termination of the contract if the fees are in arrears in excess of one month. This section of the contract has never been invoked for non-payment of market rental fees. It has always been viewed as too drastic a step to take for rental arrears of a few months.

The Committee on the recommendation of Mr. Hollowell agreed that a Rent Arrears Policy be formulated to provide for an escalating plan of action to deal with rental arrears and presented for approval at the next meeting.

May Toth commended the committee for it's pro-activeness in reviewing and re-establishing policy on current issues and encouraged this to continue with other issues in the future.

6. 1995 BUDGET

The Committee received the 1995 Market Budget which included the Property Maintenance portion.

Stan Hollowell informed the committee that the budget balanced for 1994, with no fee increase required for 1995. He also brought to the attention of the Committee that there was a slight decrease in building maintenance costs projected for 1995 due to a decrease in energy costs as a result of the lighting conversion.

7. FUTURE OF SUB-COMMITTEE

The Chairman briefed the Committee on Council's review and recommendation to eliminate some of its sub-committees due to the cost to maintain them and the Farmers' Market Sub-Committee is one committee being considered.

The Chairman advised that City Council requested all Chairperson's of the respective committees to conduct a review and report back their findings on the needs and services of their committees.

Alderman Agostino expressed concern and suggested it would be a big mistake should this action be taken with respect to the Market Sub-Committee. On behalf of the Committee he agreed to bring forward a report to the Finance & Administration Committee asking that the Market Sub-Committee not be eliminated.

He also suggested the Stallholders Executive Association prepare a full report and make a presentation to the Finance & Administration Committee requesting a withdrawal of the tentative action by Council to terminate the Farmers' Market Sub-Committee.

8. OTHER BUSINESS

Carmen Chiarelli expressed a personal concern to the Sub-Committee with regards to a rodent problem in his immediate area. Stephanie Miller informed the Committee that the problem is not out of control and is being monitored on a weekly basis.

The meeting then adjourned.

1.(a)

CORPORATION OF THE CITY OF HAMILTON
MEMORANDUM

****

TO: **S. Hollowell, Manager of Administrative Services**

FROM: **R. Swan, Building Operations & Maintenance**

SUBJECT: **Status of East Entrance Doors & Proposal, West Entrance Doors, Farmers' Market**

DATE: **March 15, 1995**

Please accept this confirmation of our conversation and your request regarding the above subject matter.

The East Door project last submitted in 1993 was tentatively scheduled for 1997 at a cost estimate of $150,000 in 1997 dollars. During budget deliberations in 1994, one of the Committees involved in the Capital Budget Process of that time moved this item outside the Ten Year Plan, requalifying it for introduction after 2003. This work was to include Barrier Free Access to the building in the form of appropriate code compliant powered doors, associated controls and hardware.

We have investigated the potential costs as requested in connection with the West Entrance/Exit Doors, complete with increased electrical heating of the space between the outer and inner doors. Barrier Free Access is not currently available at this location due to the substantial stairway involved, and limited available space to install alternate accessibility. Please note that due to the remote location of the West Doors it is not technically feasible to install a mechanical air barrier between the doors. Therefore, the effectiveness of the second set of doors will be less than optimum. It is the conditioned air under a positive pressure in the space between the old and proposed new doors that would effectively separate the exterior and interior environments from each other and help provide a more consistent, draft free environment within the Market. Reasonable utility based payback of this installation cannot be expected, as electrical costs to heat this area between the doors combined with a lack of positive pressure in the same space will preclude all offsetting costs that might otherwise be achieved through reduced heating/air conditioning of the Market space.

With these limitations in mind, we anticipate the estimate for the above described work in the West entrance as presently configured to be approximately $16,000 in 1995 dollars.

I trust this response to your request is sufficient.

cc: R. Desnoyers, Assistant Manager, Building Operations & Maintenance
N. Roundis, Maintenance Coordinator, Building Operations & Maintenance

2.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 October 19

REPORT TO: Stephanie Miller, Secretary
Hamilton Farmers' Market Sub-Committee

FROM: S. G. Hollowell
Manager of Administrative Services
City Clerks Office

SUBJECT: Hamilton Farmers' Market Rental Arrears

RECOMMENDATION:

1. That the following procedure be implemented for the collection of rental arrears in excess of one (1) month at the Hamilton Farmers' Market:

   a. **STEP ONE:** That the stallholder in arrears be forwarded a letter from the Market Manager by registered mail and hand delivery requesting payment of the total arrears within ten (10) days of receipt of the letter or arrangements acceptable to the Market Manager made for payment.

   b. **STEP TWO:** If payment is not received within ten days of receipt of the letter referred to in Step One or if the payment arrangements agreed to with the Market Manager are not honoured by the stallholder in arrears, that a further letter be sent from the Manager of Administrative Services, City Clerks Department by registered mail and hand delivery advising that a recommendation for a one week suspension from the Hamilton Farmers' Market will be forwarded to the Finance and Administration Committee by the City Clerk.

   c. **STEP THREE:** If payment of the arrears is not received or acceptable arrangements for payment made, that a recommendation for a one week suspension from the Hamilton Farmers' Market be forwarded to the Finance and Administration Committee by the City Clerk.

d. **STEP FOUR:** If after the one week suspension, payment of the arrears is still not made, that a recommendation for termination of contract be forwarded to the Finance and Administration Committee by the City Clerk.

2. That Section 2 of the Hamilton Farmers' Market Contract be amended to read:

"2. To pay the fee referred to above monthly in advance by depositing with the Market Manager twelve postdated monthly cheques at the time of executing this contract."

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Potential loss of revenue if arrears are not collected.

BACKGROUND:

Section 2 of the Hamilton Farmers' Market Contract reads as follows:

2. To pay the fee referred to above monthly in advance by depositing with the Market Manager twelve postdated monthly cheques at the time of executing this contract, on the understanding that this contract shall terminate if the fees are in arrears in excess of one month.

Section 2 of the Hamilton Farmers' Market Contract has never been invoked for non-payment of market rental fees. It has always been viewed as too drastic a step to take for rental arrears of a few months. The Hamilton Farmers' Market Sub-Committee on the recommendation of the Manager of Administrative Services, City Clerks Department agreed that a Rent Arrears Policy be formulated to provide for an escalating plan of action to deal with rental arrears.

The policy recommended above provides a four step escalating process for controlling and collecting rental arrears at the Hamilton Farmers' Market.

For the information of the members of the Finance and Administration Committee, the rental arrears at the Hamilton Farmers' Market for 1995 total $11,454.00 owed by only five stallholders, two of whom are regularly in arrears.

3.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 16

REPORT TO: S. Miller, Secretary
Hamilton Farmers' Market Sub-Committee

FROM: S. G. Hollowell
Manager of Administrative Services

SUBJECT: Additional Lighting - Farmers' Market

RECOMMENDATION:

That the following recommendation be submitted to the Finance and Administration Committee for approval:

(a) That the following additional lighting requests submitted by the respective stallholders in the total amount of $4,514 for the Hamilton Farmers' Market be approved:

Elmira Purveyors, Stand No's 97-100, lower 1 fixture, add 2 fixtures	- $ 659.
Flower Cart, Stand No. 163, add 3 fixtures	- $1,154.
Josie's Flowers, Stand No's 166-167, add 2 fixtures, move 1 fixture	- $1,019.
Susie's Plants, Stand No's 161-162, add 3 fixtures	- $ 555.
Lesley's Flowers, Stand No's 169-171, add 1 fixture, move 2 fixtures	- $ 295.
Sam's Meat and Cheese, Stand No's 16,21-22, move 1 fixture	- $ 85.
Chapman's, Stand No's 23-24, add 2 fixtures	- $ 537.
Agro's Fish, Stand No. 12, add 1 fixture	- $ 210.

(b) That the following additional lighting requests submitted by the respective stallholders in the total amount of $5,589. for the Hamilton Farmers' Market not be approved:

Four Seasons Produce, Stand No's 87-89, add 1 fixture	- $ 135.
Spera's Produce, Stand No. 91, add 1 fixture	- $ 135.
Lesley's Flowers & Temple's Florist, Stand No's 169-175, add 5 fixtures	- $1,423.
Under the ramp, Stand No's 101-111, add 12 fixtures	- $2,255.
Bentford Orchards, Stand No's 77-79, add 2 fixtures	- $ 377.
Angela's Deli, Stand No's 68-70, add 4 fixtures	- $1,104.
Newport Fish, Stand No. 18, move 2 fixtures	- $ 160.

(c) That the additional cost of $4,514. be financed from the 1995 Energy Management Projects account No. CF 319541003.

D. T. Holdwell

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Additional funds in the amount of $4,514. will be required from the 1995 Energy Management Projects account which will not be available for other energy conservation projects.

BACKGROUND:

With the exception of the outstanding requests outlined above, the lighting replacement project at the Hamilton Farmers' Market is completed and has resulted in an overall improvement in lighting levels, an improvement in the appearance of the Market and a reduction in energy use. This project has evolved over the time period that it has been underway to the extent that 40% more lighting was installed than originally planned. This increase in lighting came about through continuous dialogue between the stallholders, the Market Sub-Committee and Alderman Agostino who was Chairman of the Sub-Committee at the time.

The stallholders agreed to allow the lighting conversion project to proceed to completion on the understanding that any lighting deficiencies which remained in the opinion of the affected stallholders when the City deemed the project complete would be addressed at that time. At the end of the project, a list of outstanding lighting deficiencies was submitted by various stallholders and costed by the Property Department.

The lighting requests recommended above, are, in our opinion, valid requests and will correct some lighting deficiencies which still remain in the opinion of the affected stallholders. They could be viewed as potentially having a negative impact on the stallholders business and are therefore recommended for approval.

The lighting requests listed above which are not recommended for approval are those, which, in our opinion, if approved, result in exceeding the average lighting level across the Market and could result in additional lighting requests being received. We do not believe that not approving these requests will have any negative impact on the stallholders business activities.

With the approval of the above recommendations, we will immediately install the additional lighting and then advise all stallholders that the lighting policy adopted by City Council at its meeting held 1995 May 31 and reading as follows will now be enforced:

14. That the following Market Lighting Policy be adopted:

    (a) That all lighting in the Market, including stall lighting, ceiling lighting, loading dock lighting, electrical conduit, switches, receptacles, Uni-strut and chain is the property of the Corporation of the City of Hamilton; and,

(b) That no person will be allowed to install, hang, and plug in any other light fixture; and,

(c) That no person will be allowed to remove, alter, paint, change or renovate any lighting throughout the Market; and,

(d) That all lighting in the Hamilton Farmers' Market is the responsibility of the Building Operations and Maintenance Division of the Property Department. The responsibilities include all maintenance, repairs, ballast replacement, tube replacement, and electrical supply; and,

(e) That there will be no exception to the above-noted Policy.

Failure to enforce the above policy after the lighting project is declared complete by the City of Hamilton will result in additional high energy using lights being re-installed by individual stallholders resulting in higher energy costs for the City and removal of the safety margin that has been gained in the Market electrical system as a result of the lighting conversion. Prior to the lighting conversion, the Market electrical system was becoming overloaded as a result of the multitude of floodlights in use by the stallholders and blackouts were a real possibility. Due to the 40% increase in the new lighting over the original plan, the safety margin is not as large as originally planned for.

5.

CITY OF HAMILTON

- INFORMATION -

DATE: 1995 October 31

REPORT TO: Members Hamilton Farmers' Market Sub-Committee

FROM: Stephanie Miller
Market Manager/Secretary

SUBJECT: New Year's Market Schedule

BACKGROUND: The following will be the scheduled Market Days for the week of New Year's.

Thursday December 28, 1995
Friday December 29, 1995
Saturday December 30, 1995

(Please note the hours of operation will be 7:00 a.m. - 6:00 p.m. each day, for the exception of Saturday which will be 6:00 a.m.- 6:00 p.m.)

The above schedule is in co-operation with Market By-law 92-310 which reads as follows:

1. (g) **"market day" means any Tuesday, Thursday, Friday or Saturday which is not a holiday and, when any Tuesday, Thursday, or Saturday is a holiday, then the day before it, and includes any other day which may from time to time be designated by the City Council as a market day.**

Friday fees will waived as Friday Market is an optional day where an additional fee is collected and in accordance with the current by-law three (3) Market days must be provided each week.

URBAN/MUNICIPAL
CA4 ON HBL A05
C51F31
1995

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

URBAN MUNICIPAL

DEC 5 1995

GOVERNMENT DOCUMENTS

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 December 5th
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder.

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

A. **DELEGATION**

Health Action Task Force - update on process and to answer questions

** Note: All members of City Council are invited to attend.

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **PLANNING AND DEVELOPMENT COMMITTEE**

Zoning Verifications for Licence Applications

4. **REFERRAL FROM CITY COUNCIL**

Filling of vacancy on Municipal Council

5. **CITY CLERK**

By-law amendments - Second Level Lodging House By-law - Required number of inspections

6. **HAMILTON FARMERS' MARKET SUB-COMMITTEE**

   (a) Hamilton Farmers' Market Rental Arrears

   (b) Additional Lighting - Hamilton Farmers' Market

7. **CITY SOLICITOR**

   Collection of Fines

8. **FIRE CHIEF**

   Rope Rescue Training Exercises

9. **1996 - 2005 PROVISIONAL CAPITAL BUDGET**

   (a) Municipal Non-Profit (Hamilton) Housing Corporation

   (b) The Parking Authority of the City of Hamilton

10. **OTHER BUSINESS**

11. **ADJOURNMENT**

A.

Health Action Task Force
Hamilton · Wentworth District Health Council
Conseil régional de santé de Hamilton · Wentworth

(Ontario) L8P 1C8

Tel: (905) 570-0354
Fax: (905) 570-0974

November 27, 1995

Ms. Susan Reeder, Committee Secretary,
Finance and Administration Committee
City Hall,
71 Main St.
Hamilton, Ontario L8N 3T4

Post-it™ Fax Note 7671E	Date Nov. 27	# of pages ▸ 1
To Susan Reeder	From Ray Johnson	
Co./Dept.	Co. H-W DHC	
Phone #	Phone # 570-0354 Ext. 132	
Fax # 546-2095	Fax # 570-0974	

Dear Ms. Reeder:

I would like to request the opportunity to meet with the members of Hamilton City Council to discuss the work of the Health Action Task Force.

The Health Action Task Force has been appointed by the Hamilton- Wentworth District Health Council to develop a blueprint for regional health care. This plan will be presented to the Minister of Health in March of 1996. It will provide the Minister with local input into changes that are to come in health care.

The purpose of our meeting will be to advise Council members of our process and answer any questions they may have. We will not have specific recommendations or options for December 5th but will talk about our plans for input in January.

I understand that several of the Councillors will be attending a Finance Committee meeting on December 5, 1995, @ 1:30 p.m.. I would like to request time at the beginning of that meeting and would also appreciate your inviting other councillors to attend.

If you have any questions please give me or Brenda Couch ,Communications Coordinator a call.

Yours sincerely,

Raymond Johnson

Raymond Johnson, Chair
Health Action Task Force

3.

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

YOUR FILE:

FROM: T. Agnello, Secretary
Planning and Development Committee

OUR FILE:
PHONE: 546-2729

SUBJECT: **Zoning Verifications for Licence Applications**

DATE: 1995 November 14

City Council, at its meeting of 1995 October 10, approved Section 5 of the Nineteenth Report of the Planning and Development Committee as follows:

> "That the Planning and Development Committee refer the following recommendations to the Finance and Administration Committee for consideration:
>
> (a) That applicants for new licences listed in Appendix "E" be required to submit a plot plan satisfactory to the Building Department and obtain a zoning verification from the Building Department before a licence application is processed by the Clerk's Department; and,
>
> (b) That applications for licence renewals and transfers be exempt from providing a plot and zoning verification; and,
>
> (c) That the City of Hamilton Licensing By-law 93-069 be amended accordingly."

T. Agnello

TA/jt

cc: J.J. Schatz, City Clerk
P. Noé Johnson, City Solicitor
L. King, Building Commissioner

attach.

Places of Amusement

- Billiards
- Public Hall
- Bingo Hall
- Roller Skating Rink

Eating Establishments

- Lunch Counter
- Restaurant
- Restaurant, Take Out

Flea Market

Garages

- Garage A - Auto Sales
- Garage B1 - Mechanical Repairs and Bodywork
- Garage B2 - Mechanical Repairs
- Garage B3 - Bodywork
- Garage C - Gas Pumps
- Garage D - Parking Lot
- Garage E - Car Wash

Lodging House

Second Level Lodging House

4.

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO: Susan K. Reeder, Secretary
Finance and Administration Committee

YOUR FILE:

FROM: Mr. J. J. Schatz
City Clerk
Office of the City Clerk

OUR FILE:
PHONE: 546-2727

SUBJECT: Notice of Motion referred by City Council

DATE: 1995 November 30

Attached herewith is a Notice of Motion placed by Alderman Collins at the meeting of City Council held on Tuesday, 1995 November 28th.

This Motion was referred to the Finance and Administration for consideration.

Would you please ensure that this matter is placed on the next Agenda for the Finance and Administration Committee.

A. J. Mallowell by
D. D. Schatz

SKR/JJS

NOTICE OF MOTION FOR NEXT MEETING
(1995 November 28)

Alderman Collins gave notice that he would at the next regular meeting of City Council the following motion:

WHEREAS Section 45 of the Ontario Municipal Act provides for the filling of a vacancy on a municipal council by the appointment of a qualified person by the municipal council, and

WHEREAS Section 46 of the Ontario Municipal Act permits a municipal council to fill a vacancy on a municipal council by the holding of a by-election provided the vacancy occurs prior to March 31 of an election year, and

WHEREAS By-Elections cost on average $50,000 per ward which could be better allocated to other municipal purposes for the benefit of all taxpayers, and

WHEREAS Participation in by-elections by the electorate is very low in comparison to general municipal elections indicating limited interest in by-elections, and

WHEREAS Public response to the calling of the most recent by-election in the City of Hamilton was very negative, and

WHEREAS Additional qualified persons may run for municipal office in general municipal elections if a city policy was in place guaranteeing the third place finisher in a ward election appointment to City Council in the event of a vacancy occurring between general elections.

NOW THEREFORE Be it resolved that the City Council of the City of Hamilton give serious consideration to adopting a policy of appointing the respective third place finisher when a vacancy occurs for the office of Alderman in a ward between general elections.

CITY OF HAMILTON

- RECOMMENDATION -

5.

DATE: 1995 November 27

REPORT TO: Susan K. Reeder
Secretary, Finance and Administration

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: **Second Level Lodging House By-law**

RECOMMENDATION:

(a) That the Second Level Lodging House By-law 80-259 be amended to provide for the following:

(i) the deletion of the requirement for the Medical Officer of Health to carry out monthly inspections; and

(ii) to require the Medical Officer of Health to carry out inspections and file reports on the inspections and operation of each Second Level Lodging House with the Licensing Committee, as often as are reasonably necessary; and

(b) That the City Solicitor be authorized and directed to prepare the necessary by-law amendments.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

As you may recall, Regional Council, on 1995 March 31 approved a reduction in the Department of Public Health Services staff designated to the Second Level Lodging House By-law Program.

As a result, it is no longer possible for this Department to comply with Section 46 of the by-law which requires monthly inspections of each home to be conducted by the Department of Public Health Services. The amendments are necessary to reflect the inspection procedures as they exist at this time.

JJS/DB

c.c. Dr. Marilyn James, Medical Officer of Health
Ron Sabo, Law Department

6.(a.)

CITY OF HAMILTON

RECOMMENDATION

DATE: 1995 November 30

REPORT TO: S. Reeder, Secretary
Finance and Administration Committee

FROM: S. Miller, Secretary
Hamilton Farmers' Market Sub-Committee

SUBJECT: Hamilton Farmers' Market Rental Arrears

RECOMMENDATION:

1. That the following procedure be implemented for the collection of rental arrears in excess of one (1) month at the Hamilton Farmers' Market:

   a. **STEP ONE:** That the stallholder in arrears be forwarded a letter from the Market Manager by registered mail and hand delivery requesting payment of the total arrears within ten (10) days of receipt of the letter or arrangements acceptable to the Market Manager made for payment.

   b. **STEP TWO:** If payment is not received within ten days of receipt of the letter referred to in Step One or if the payment arrangements agreed to with the Market Manager are not honoured by the stallholder in arrears, that a further letter be sent from the Manager of Administrative Services, City Clerks Department by registered mail and hand delivery advising that a recommendation for a one week suspension from the Hamilton Farmers' Market will be forwarded to the City Clerk.

   c. **STEP THREE:** If payment of the arrears is not received or acceptable arrangements for payment made, that a one week suspension from the Hamilton Farmers' Market of the stallholder and their employees be implemented by the City Clerk.

d. **STEP FOUR:** If after the one week suspension, payment of the arrears is still not made, that a recommendation for termination of contract be forwarded to the Finance and Administration Committee by the City Clerk.

2. That Section 2 of the Hamilton Farmers' Market Contract be amended to read:

"2. To pay the fee referred to above monthly in advance by depositing with the Market Manager twelve postdated monthly cheques at the time of executing this contract, on the understanding that this contract **may be terminated** if the fees are in arrears in excess of one month.."

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Potential loss of revenue if arrears are not collected.

BACKGROUND:

Section 2 of the Hamilton Farmers' Market Contract reads as follows:

2. To pay the fee referred to above monthly in advance by depositing with the Market Manager twelve postdated monthly cheques at the time of executing this contract, on the understanding that this contract shall terminate if the fees are in arrears in excess of one month.

Section 2 of the Hamilton Farmers' Market Contract has never been invoked for non-payment of market rental fees. It has always been viewed as too drastic a step to take for rental arrears of a few months. The Hamilton Farmers' Market Sub-Committee on the recommendation of the Manager of Administrative Services, City Clerks Department agreed that a Rent Arrears Policy be formulated to provide for an escalating plan of action to deal with rental arrears.

The policy recommended above provides a four step escalating process for controlling and collecting rental arrears at the Hamilton Farmers' Market.

For the information of the members of the Committee, the rental arrears at the Hamilton Farmers' Market for 1995 total approximately $7,500. owed by only a few stallholders, one of whom accounts for $4,500 of the total amount.

CITY OF HAMILTON

- RECOMMENDATION -

6. (b.)

DATE: 1995 November 29

NOV 29 1995

REPORT TO: S. Reeder, Secretary
Finance and Administration Committee

FROM: S. Miller, Secretary
Hamilton Farmers' Market Sub-Committee

SUBJECT: Additional Lighting - Farmers' Market

RECOMMENDATION:

(a) That the following additional lighting requests submitted by the respective stallholders in the total amount of $4,514 for the Hamilton Farmers' Market be approved:

Elmira Purveyors, Stand No's 97-100, lower 1 fixture, add 2 fixtures	- $ 659.
Flower Cart, Stand No. 163, add 3 fixtures	- $1,154.
Josie's Flowers, Stand No's 166-167, add 2 fixtures, move 1 fixture	- $1,019.
Susie's Plants, Stand No's 161-162, add 3 fixtures	- $ 555.
Lesley's Flowers, Stand No's 169-171, add 1 fixture, move 2 fixtures	- $ 295.
Sam's Meat and Cheese, Stand No's 16,21-22, move 1 fixture	- $ 85.
Chapman's, Stand No's 23-24, add 2 fixtures	- $ 537.
Agro's Fish, Stand No. 12, add 1 fixture	- $ 210.

(b) That the following additional lighting requests submitted by the respective stallholders in the total amount of $5,589. for the Hamilton Farmers' Market not be approved:

Four Seasons Produce, Stand No's 87-89, add 1 fixture	- $ 135.
Spera's Produce, Stand No. 91, add 1 fixture	- $ 135.
Lesley's Flowers & Temple's Florist, Stand No's 169-175, add 5 fixtures	- $1,423.
Under the ramp, Stand No's 101-111, add 12 fixtures	- $2,255.
Bentford Orchards, Stand No's 77-79, add 2 fixtures	- $ 377.
Angela's Deli, Stand No's 68-70, add 4 fixtures	- $1,104.
Newport Fish, Stand No. 18, move 2 fixtures	- $ 160.

(c) That the additional cost of $4,514. be financed from the 1995 Energy Management Projects account No. CF 319541003.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Additional funds in the amount of $4,514. will be required from the 1995 Energy Management Projects account which will not be available for other energy conservation projects.

BACKGROUND:

With the exception of the outstanding requests outlined above, the lighting replacement project at the Hamilton Farmers' Market is completed and has resulted in an overall improvement in lighting levels, an improvement in the appearance of the Market and a reduction in energy use. This project has evolved over the time period that it has been underway to the extent that 40% more lighting was installed than originally planned. This increase in lighting came about through continuous dialogue between the stallholders, the Market Sub-Committee and Alderman Agostino who was Chairman of the Sub-Committee at the time.

The stallholders agreed to allow the lighting conversion project to proceed to completion on the understanding that any lighting deficiencies which remained in the opinion of the affected stallholders when the City deemed the project complete would be addressed at that time. At the end of the project, a list of outstanding lighting deficiencies was submitted by various stallholders and costed by the Property Department.

The lighting requests recommended above, are, in our opinion, valid requests and will correct some lighting deficiencies which still remain in the opinion of the affected stallholders. They could be viewed as potentially having a negative impact on the stallholders business and are therefore recommended for approval.

The lighting requests listed above which are not recommended for approval are those, which, in our opinion, if approved, result in exceeding the average lighting level across the Market and could result in additional lighting requests being received. We do not believe that not approving these requests will have any negative impact on the stallholders business activities.

With the approval of the above recommendations, we will immediately install the additional lighting and then advise all stallholders that the lighting policy adopted by City Council at its meeting held 1995 May 31 and reading as follows will now be enforced:

14. That the following Market Lighting Policy be adopted:

    (a) That all lighting in the Market, including stall lighting, ceiling lighting, loading dock lighting, electrical conduit, switches, receptacles, Uni-strut and chain is the property of the Corporation of the City of Hamilton; and,

(b) That no person will be allowed to install, hang, and plug in any other light fixture; and,

(c) That no person will be allowed to remove, alter, paint, change or renovate any lighting throughout the Market; and,

(d) That all lighting in the Hamilton Farmers' Market is the responsibility of the Building Operations and Maintenance Division of the Property Department. The responsibilities include all maintenance, repairs, ballast replacement, tube replacement, and electrical supply; and,

(e) That there will be no exception to the above-noted Policy.

Failure to enforce the above policy after the lighting project is declared complete by the City of Hamilton will result in additional high energy using lights being re-installed by individual stallholders resulting in higher energy costs for the City and removal of the safety margin that has been gained in the Market electrical system as a result of the lighting conversion. Prior to the lighting conversion, the Market electrical system was becoming overloaded as a result of the multitude of floodlights in use by the stallholders and blackouts were a real possibility. Due to the 40% increase in the new lighting over the original plan, the safety margin is not as large as originally planned for.

CITY OF HAMILTON

- RECOMMENDATION -

7.

DATE: 1995 November 21

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: Collection of Fines

RECOMMENDATION:

(a) That the City accept authority from the Provincial Offences Court to commence collection of outstanding fines under the Planning Act, the Building Code, Provincial Offences Act, and By-laws (not including parking infractions).

(b) That the City Solicitor execute the attached Letter of Understanding with the Provincial Offences Court on behalf of The Corporation of the City of Hamilton;

(c) That the outstanding fines be collected in the best financial interests of the Corporation, through procedures which include:

i) examination of debtors in aid of execution,
ii) filing writs of seizure and sale,
iii) sale of real and personal property, and
iv) garnishment of debts payable to the debtor, which include bank accounts.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Provincial Offences Court has the responsibility for collecting fines owed to municipalities. By the City taking over collections, a higher rate of recovery is expected. Fines collected will be paid to the Provincial Offences Court, who will first deduct their court costs, and turn the remainder over to the City, including disbursements paid by the City to enforce payment. Existing staff would be used, primarily Law Department's Prosecution Team Members, who would assume the new duties. Parking fines are collected by another process, where the Ministry of Transportation withholds renewal of vehicle permits until parking fines are paid.

DISCUSSION:

The Court does not pursue collection of fines owed the municipalities as a priority since the Province only receives a small administration fee. The Clerk of the Provincial Offences Court has offered to grant rights to municipalities to pursue their own fine collection, on the terms outlined in the attached a Letter of Understanding. The Letter of Understanding must be signed and delivered to the court before the City of Hamilton may proceed with collection of fines.

The Letter of Understanding sets out responsibilities for collection, to be followed by the City, and reserves the court's power to collect the debt if it feels it necessary. The Court has an added range of powers that include jail to forgiveness of the debt. The City would be agreeing to bear the costs of collection. Many of the disbursements the City will pay are added to the fine and can be recovered.

The Procedure:

Once the agreement is executed, we will focus on the backlog of outstanding fines, beginning with persons owing larger amounts. Some discretion will be applied, recognizing the inability to pay, balancing the cost of collection against amounts owed, and with attention to debtor protection laws (ie. those that prevent seizure of social assistance payments and pensions). Uncollectible fines may be written off. Most fines are less than $6,000.00, and collectible under the Rules of the Small Claims Court. Debt collection will tend to begin by demand letter, and if unpaid will use more formal collection procedures. While the City may choose the manner of collection, it is the Sheriff who enforces payment, or seizes and sells property.

ras:mm

PROVINCIAL OFFENCES ACT

CIVIL ENFORCEMENT

LETTER OF UNDERSTANDING

(Date)

The Court Administrator
Provincial Offences Court
(Address)

Dear Sir/Madam:

I have been instructed by the Council of the Corporation of the _____ of _____ (or its Clerk, Chief Administrative Officer, etc.) to inform you that it is the intention of the Corporation to utilize the civil enforcement provisions of the Provincial Offences Act in order to attempt to collect certain fines imposed by the Provincial Offences Court which are in default, and which under the pertinent statutes are payable to the Corporation.

It is understood that the Corporation will ascertain the fines which have gone into default by inquiring at the court office. The Corporation will request the court office to extract these files and to present them to a justice. If necessary, an employee of the City will appear before the justice to establish that the Corporation is by law entitled to the fine, that the Corporation by one of its employees acted as prosecutor of the particular offence, and that the employee who requests the justice to direct the clerk to proceed with civil enforcement has been duly authorized by the Corporation to do so.

If the justice directs the clerk to proceed with civil enforcement in any case, the Corporation will accept the certificate of default for filing in the civil court of competent jurisdiction. The Corporation will file the certificate of default on behalf of the clerk of the Provincial Offences Court as soon as is reasonably practicable. It is understood that the Corporation will be responsible for all fees and expenses incurred in the course of attempting to collect the fine, including any fees which may be required for filing a certificate of payment under subsection 68(3) of the Act with the civil court or the sheriff.

The Corporation intends to utilize all reasonable methods of collecting the fine which are likely to result in payment within a reasonable time in the circumstances. The Corporation further undertakes to inform the court office of the progress of attempts to collect the fine at intervals of not less than six months, calculated in the first instance from the date on which the clerk issued the certificate of default.

The Corporation understands that all funds on account of the fine which are recovered by the sheriff or the clerk of the court of competent jurisdiction, as the case may be, including the fees and costs incurred by the Corporation in the civil court, will be remitted to the clerk of the Provincial Offences Court. An endorsement on the certificate of default will specify that payment is to be made to the Provincial Offences Court. After deducting any costs ordered to be paid by the Provincial Offences Court, the clerk will disburse the net proceeds to the Corporation. The Corporation also agrees that if money is paid voluntarily to the Corporation by the defaulter, the Corporation will transmit the funds to the civil court in which the certificate of default was filed, to be dealt with as outlined above.

The Corporation further understands that, when the fine has been paid in full, the Corporation will, upon request, inform the clerk of the name and location of the court of competent jurisdiction in which the certificate of default was filed, and also advise the clerk whether the municipality has filed a writ of seizure and sale with the sheriff of the particular county or district, in order that the clerk may file a certificate of payment in respect of each fine which has been paid in full.

The Corporation understands that although it has commenced the civil enforcement process in respect of any particular fine a justice of the Provincial Offences Court can at any time issue a warrant of committal in accordance with the provisions of section 69 of the Provincial Offences Act.

_____

(signature)

(This letter should be signed by an officer of the Corporation or its solicitor.)

8.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 15

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: G.H. Smith
Fire Chief

SUBJECT: Rope Rescue Training Exercises

RECOMMENDATION:

(a) That the City agree to indemnify and save harmless, the Hamilton-Wentworth Housing Authority with respect to Fire Department use of the building at 30 Sanford Avenue South for high level rope rescue training purposes.

(b) That the City enter into an Indemnity Agreement with the Hamilton-Wentworth Housing Authority, in form and content satisfactory to the City Solicitor, with a term of no more than two years.

FINANCIAL/STAFFING/LEGAL/IMPLICATIONS:

There are no staffing implications.

The City will be accepting a potential financial liability for any repair to the building as a result of physical damage caused by or during a training exercise, as well as a potential lability for injuries to third parties caused by or during a training exercise.

The Agreement will not alter the City's responsibility towards its Firefighters in the areas of work place safety or Workers' Compensation.

contd...

BACKGROUND:

The Hamilton Fire Department's rope rescue training has advanced to the high angle rescue level. This now requires the use of high buildings for training purposes. The Hamilton-Wentworth Housing Authority has agreed to permit the Hamilton Fire Department the use of one of their buildings, 30 Sanford Avenue South for this training. Their concern is that they not be held responsible for any injuries to the Firefighters and that if there is any damage to the building, that the Hamilton Fire Department will be responsible for the repairs. The Hamilton Fire Department would use the building on mutually agreed upon dates.

GHS/JCC/so

cc P. Noé Johnson, City Solicitor

9.(a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 21

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

NOV 22 1995

FROM: Mark Mascarenhas
General Manager

SUBJECT: Municipal Non-Profit (Hamilton) Housing Corporation and Hamilton Housing Company Limited
1996 - 2005 Provisional Capital Budget

RECOMMENDATION:

1. That the attached capital projects from the Municipal Non-Profit (Hamilton) Housing Corporation and Hamilton Housing Company Limited, be considered for inclusion in the ten year 1996-2005 Provisional Capital Budget, and;

2. That these capital projects be reviewed by the Management Team (Capital Budget Sub-Committee) for consideration of the Committee of the Whole and City Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

To be reviewed by the Management Team.

BACKGROUND:

See attached information on:

1.0: Upgrade of Ada Pritchard and Macassa Park Apartments.

2.0 and 3.0: Landbanking for Housing.

These projects were approved at the same cost in the 1995 - 2005 Capital Budget.

MM/dc

The Corporation of the City of Hamilton

1996–2005 Provisional Capital Budget Program

Schedule "A"

Projects By Department

(Thousands of Dollars)

First Draft

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT START	PROJECT FINISH	GROSS COST	RECEIPTS SUBSIDY	NET FINANCING 1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	NATURE OF FUNDING	ANNUAL DEBT CHARGES	ANNUAL OPERATING COST
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
	Housing																		
1.0	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	1996	1996	1,000	1,000													
2.1	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	1997	1997	1,000	1,000													
2.2	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	1998	1998	1,000	1,000													
2.3	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	1999	1999	1,000	1,000													
2.4	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2000	2000	1,000	1,000													
2.5	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2001	2001	1,000	1,000													
2.6	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2002	2002	1,000	1,000													
2.7	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2003	2003	1,000	1,000													
2.8	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2004	2004	1,000	1,000													
2.9	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2005	2005	1,000	1,000													
3.0	HD	UPGRADE OF ADA PRITCHARD AND MACASSA PARK APARTMENTS	1998	1999	1,339				1,060	279									
	Sub-total Housing	*(NET CITY COSTS - 1,339)*			11,339	10,000	0	0	1,060	279	0	0	0	0	0	0		0	0

THE PARKING AUTHORITY OF THE CITY OF HAMILTON

PETER G. BAKER
GENERAL MANAGER

9.(b.)

NOV 17 1995

DATE: *November 16, 1995*

REPORT TO: *Susan K. Reeder, Secretary*
Finance and Administration Committee

FROM: *Peter G. Baker, General Manager*
*The **Parking Authority of the City of Hamilton***

SUBJECT: *1996 - 2005 Provisional Capital Budget*

RECOMMENDATION: *a) That the attached Capital Projects of the Parking Authority of the City of Hamilton be considered for inclusion in the ten year 1996 - 2005 Provisional Capital Budget; and*

b) That these Capital projects be reviewed by the Management Team (Capital Budget Sub-Committee) for consideration of the Committee of the Whole and Council.

Peter G. Baker, General Manager

80 MAIN STREET WEST, *(AT SUMMERS LANE)*, HAMILTON, ONTARIO L8P 1H6 • TELEPHONE (905) 540-6000 • FAX (905) 540-6001

The Corporation of the City of Hamilton

1996–2005 Provisional Capital Budget Program

Schedule "A"

Projects By Department

(Thousands of Dollars)

First Draft

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	RECEIPTS SUBSIDY (7)	NET FINANCING 1996 (8)	1997 (9)	1998 (10)	1999 (11)	2000 (12)	2001 (13)	2002 (14)	2003 (15)	2004 (16)	2005 (17)	NATURE OF FUNDING (18)	ANNUAL DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
		Parking Authority Projects:																	
		1996 Projects																	
209.1	PA	UPGRADING – EXISTING FACILITIES	1996	1996	250		250										ROSP		
210.1	PA	STUDY & DESIGN – EXISTING AND FUTURE PARKING PROJECTS	1996	1996	50		50										ROSP		
		Sub–total 1996 PROJECTS (NET CITY COSTS – 300)			300	0	300	0	0	0	0	0	0	0	0	0		0	0
		1997–2005 Projects																	
209.2	PA	UPGRADING – EXISTING FACILITIES	1997	2005	900			100	100	100	100	100	100	100	100	100	ROSP		
210.2	PA	STUDY & DESIGN – EXISTING AND FUTURE PARKING PROJECTS	1997	2005	450			50	50	50	50	50	50	50	50	50	ROSP		
		Sub–total 1997–2005 PROJECTS (NET CITY COSTS – 1,350)			1,350	0	0	150	150	150	150	150	150	150	150	150		0	0
		Total 1996–2005 Parking Authority Projects (NET CITY COSTS – 1,650)			1,650	0	300	150	150	150	150	150	150	150	150	150		0	0

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 December 5th
1:30 o'clock p.m.
Room 233, City Hall

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the regular meeting held on Tuesday, 1995 November 21st

B. TREASURER

(i) Financing the City's Share of Servicing San Lorenzo Heights - Phase 1

(ii) Financing the construction of a concrete alley - First south of Hunter Street from Bay Street to approximately 83.5m westerly (east-west portion only)

(iii) Financing the construction of sidewalks on Wingate Place in Wheten Court Subdivision

C. DIRECTOR OF PROPERTY

(i) Offer to Purchase - 775 Upper Wentworth Street - Elite Realty Corp.

(ii) Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property

D. DIRECTOR OF INFORMATION SYSTEMS

Payment of 1996 Dunn & Bradstreet Software Maintenance Invoice

E. COMMISSIONER OF HUMAN RESOURCES

(i) Terminations From Permanent Positions

(ii) Roofers Provincial Collective Agreement - Local 537

(iii) International Brotherhood of Electrical Workers - Local 105

F. CITY SOLICITOR

(i) 1995 Debenture Projects and Amounts - Major Maintenance to Civic Buildings

(ii) 1994 Debenture Projects and Amounts - Parkdale Arena and Inch Park Arena

G. DIRECTOR OF PROPERTY

Hamilton Firefighters Drum Corps Inc. - New Practice Facility Building - Dartnall Road

H. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

(i) Schedule of Meetings for 1996 - Finance and Administration Committee

(ii) Information Items

A.

Tuesday, 1995 November 21
1:30 o'clock p.m.
Room 233, City Hall

The Finance and Administration Committee met.

Present:	Alderman B. Charters, Chairman Mayor R. M. Morrow Alderman M. Kiss Alderman V. J. Agro Alderman D. Wilson Alderman T. Anderson Alderman C. Collins Alderman D. Drury
Regrets:	Alderman D. Ross, Vice-Chairman
Also Present:	Alderman H. Merling Alderman G. Copps Alderman M. Caplan J. G. Pavelka, Chief Administrative Officer A. Ross, Treasurer P. Noé Johnson, City Solicitor D. Vyce, Director of Property J. Johnston, Commissioner of Human Resources M. Watson, Real Estate Fire Chief Smith C. Guthro, Public Works and Traffic D. Lobo, Director of Public Works and Traffic Susan K. Reeder, Secretary

A G E N D A

1. IN CAMERA AGENDA

The Committee moved to an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

AA. CITY SOLICITOR AND COMMISSIONER OF PUBLIC WORKS AND TRAFFIC

(i) City -ats- Bootland

(a) That the City resolve Ontario Court (General Division) Action # 7440/94 by the payment to the Plaintiffs, Margaret and George Bootland of the sum of $5,500. inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 7440/94 be dismissed without costs.

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held Tuesday, 1995 November 7th, and approved these minutes as circulated.

B. CITY CLERK

(i) Use of City Facilities - First Night and Sesquicentennial Celebration

The Committee was in receipt of a report from the City Clerk dated 1995 November 10, respecting the above noted matter and approved the following:

(a) That approval be given to the request of the Culture and Recreation Department to use the Council Chamber on Saturday, 1995 December 9 from 1:00 p.m. to 4:00 p.m. for First Night Volunteer Orientation, and on Sunday, 1995 December 31 from 9:00 a.m. to midnight for a story telling room during the First Night Celebrations; and,

(b) That approval be given to the request of the Sesquicentennial Committee to affix a coloured plastic film of the Sesquicentennial Logo on the east and west windows of the Council Chambers, to be "unveiled" on First Night and remain on display throughout 1996, the Sesquicentennial Year.

(ii) Use of Second Floor - Ontario March of Dimes

The Committee was in receipt of a report from the City Clerk dated 1995 November 6, respecting the above noted matter and approved the following:

That approval be given to the Ontario March of Dimes request to change the date when the paper ability tree will be placed on the second floor at City Hall, from the month of 1995 November to 1996 January 10 - February 10.

C. TREASURER

(i) Financing - Purchase of Three 25 Yard Refuse Packers

The Committee was in receipt of an report from the Treasurer dated 1995 November 8, respecting the above noted matter.

As a result of the Committee's direction that the contract be offered to Hamilton Truck Service Ltd., on the condition that the requirement by them on payment terms be removed, the Committee approved the following recommendation **as amended**:

(a) That the total additional requisition cost of 3 Refuse Packers including all applicable taxes in the amount of $37,681.50 be financed from the 1995 Capital Levy; and,

(b) That the gross cost of the above Account Centre No. CF 609551018 be increased from $360,000. to $397,681.50 by $37,681.50.

(ii) Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears

The Committee was in receipt of a report from the Treasurer dated 1995 November 14, respecting the above noted matter and approved the following:

(a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

17 Delena N 110 Hess S

(b) That the by-law to authorize the said Extension Agreements be enacted by Council; and,

(c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

D. CITY SOLICITOR

(i) By-law to repeal By-law No. 9429

The Committee was in receipt of a report from the City Solicitor dated 1995 November 8, respecting the above noted matter.

The Committee approved the following:

That the City Solicitor be authorized and directed to prepare a By-law to repeal By-law No. 9429 respecting the expropriation of certain lands in the area bounded by The Queen Elizabeth Way, Grays Side Road, Queenston Road and No. 20 Highway in connection with Sewers and Watercourses.

(ii) By-law to amend By-laws 93-069 and 80-259 - Fines

The Committee was in receipt of a report from the City Solicitor dated 1995 November 3, respecting the above noted matter.

The Committee directed that the By-law to Amend By-laws 93-069 and 80-259 respecting Fines, attached to the report, be forwarded to City Council for enactment.

(iii) Debenture Project Cost Amending By-law

The Committee was in receipt of a report from the City Solicitor dated 1995 November 1, respecting the above noted matter.

The Committee directed that the By-law to Amend By-law 95-090 respecting 1995 Debenture Projects and Amounts, attached to the report, be forwarded to City Council for enactment.

E. H.E.C.F.I. - Closing of Capital Accounts

The Committee was in receipt of a report from the Secretary of H.E.C.F.I. Board of Directors dated 1995 November 12, respecting the above noted matter and approved the following:

That the following H.E.C.F.I. Capital Accounts with $260,121.47 in excess financing be returned to the H.E.C.F.I. Reserve Account for Capital Projects:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended Committed To Date	Balance Available
CF 928851003	Hamilton Place Replace Sound System	$202,000.	$201,926.34	$ 73.66
CF 929151016	Hamilton Place Sound/Lighting Equipment	$ 83,000.	$ 82,920.51	$ 79.49
CF 929241003	Convention Centre Refurbish Renovate Wentworth Exhibition Hall	$250,000.	$249,997.60	$ 2.40
CF 929441027	Convention Centre Wentworth Exhibition Hall Renovations	$ 70,000.	$ 3,155.	$ 66,845.
CF 929441030	Hamilton Place Refurbish Exterior Sign	$230,000.	$164,132.	$ 65,868.
CF 929541015	Convention Centre Carpet Replacement	$350,000.	$222,747.08	$127,252.92
			TOTAL:	$260,121.47

F. COMMISSIONER OF HUMAN RESOURCES - Appointments to and Terminations from positions with the Corporation of the City of Hamilton.

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1995 November 7, respecting the above noted matter.

The Committee approved the following:

That the listing of Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1995 November 9, attached herewith and marked Appendix "A", be approved.

G. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1995 November 17, respecting the above noted matter and approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1995 October 31st

(b) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1995 October 31st

(c) Information Report - Chief Administrative Officer - Chief Administrative Office Quarterly Report as at 1995 September 30th

(d) Information Report - Treasurer - Treasury Department Quarterly Report as at 1995 September 30th

(e) Information Report - Director of Property - Property Department Quarterly Report as at 1995 September 30th

(f) Information Report - City Clerk - City Clerk's Department Quarterly Report as at 1995 September 30th.

(g) Information Report - Fire Chief - Fire Department Quarterly Report as at 1995 September 30th

(h) Correspondence - City of Brampton - Business Immigrant Investor Program - letter dated 1995 November 1

(i) Information Report - Chief Executive Officer, Hamilton Public Library - Quarterly Report as at 1995 September 30th

(j) Information Report - Commissioner of Human Resources - Human Resources Quarterly Report as at 1995 September 30th

(k) Information Report - H.E.C.F.I. Quarterly Report as at 1995 September 30th

(l) Information Report - Treasurer - Financial Accounts and Other Non-Departmental Quarterly Reports as at 1995 September 30th

(m) Information Report - Director of Information Systems - Departmental Quarterly Report as at 1995 September 30th

(n) Information Report - City Solicitor - Departmental Quarterly Report as at 1995 September 30th

(o) Information Report - Commissioner of Human Resources and Fire Chief - 1996-1997 Firefighter Recruitment Program - report dated 1995 November 21st

3. **MAYOR ROBERT M. MORROW - Hamilton Sesquicentennial - Use of the Sesqui Logo and Mascot**

The Committee was in receipt of a report from the Mayor dated 1995 November 10, respecting the above noted matter.

The Committee approved the following:

(a) That the Sesquicentennial Logo, attached herewith and marked Appendix "B", be incorporated onto public and internal documents, such as City brochures, letterhead, envelopes, internal memorandums, and wherever possible, in order to profile the City's 150 Birthday Celebrations for 1996; and,

(b) That the Commissioner of Public Works and Traffic be authorized to create signs of the Sesquicentennial Logo, and the Sesqui Mascot, attached herewith and marked Appendix "C", to be affixed to both sides of the Main Street Banner pole for the 1996 Sesqui Year.

4. **CHIEF ADMINISTRATIVE OFFICER AND COMMISSIONER OF HUMAN RESOURCES - Executive Assistant to the Mayor**

The Committee was in receipt of a duel report from the Chief Administrative Officer and the Commissioner of Human Resources dated 1995 November 14, respecting the above noted matter.

The Committee agreed to move In Camera to discuss this report.

The Committee then moved back into Regular Session and approved the following:

That the position of Executive Assistant to the Mayor be filled pursuant to the following terms and conditions:

(a) A contract be entered into for the length of the Mayor's current term of office; and,

(b) That the person be an employee of the City of Hamilton reporting directly to the Mayor; and,

(c) That the employee be eligible for benefits including pension and mileage; and,

(d) That the employee be ineligible for any special retirement programs run by the City of Hamilton; and,

(e) That the position be placed within Salary Schedule "I" at a step in the range to be determined by the Mayor.

5. **TREASURER - Interim Reorganization - Treasury Department**

The Committee was in receipt of a report from the Treasurer dated 1995 November 20, respecting the above noted matter.

The Committee approved the following:

(a) That the complement of the Treasury Department be amended as follows:

Delete:

Manager of Purchasing
Administrative Assistant II - Purchasing
Assistant Supervisor - Accounts Payable

Add:

Buyer (Salary Grade 18A)
Invoice Checking Clerk (Salary Grade 13K)

(b) That the Buyer and Invoice Checking Clerk positions be filled on a temporary or term contract basis, pending the outcome of the Financial Shared Services Study presently underway; and,

(c) That the positions of Assistant Manager of Purchasing and Stores Supervisor be retitled Supervisor of Purchasing and Stores Coordinator respectively.

6. **H. E. C. F. I. - Consolidation of Capital Reserves - The Hamilton Entertainment and Convention Facilities Inc.**

The Committee was in receipt of a report from the Secretary of H.E.C.F.I. Board of Directors dated 1995 November 12, respecting the above noted matter and approved the following:

That the City Treasurer be authorized to consolidate the Ticket Surcharge - Hamilton Place (CH2X000-00207) and Ticket Surcharge - Copps Coliseum (CH 2X000-00211) Reserve Fund Accounts into the Reserve Fund for Capital Projects - H.E.C.F.I. (CH 2X000-00206), effective 1995 December 31.

7. **DIRECTOR OF PROPERTY - Requested Information Report - Lease Information - Champions Fitness Centre, Part of Copps Coliseum**

The Committee was in receipt of an Information Report from the Director of Property dated 1995 November 9, respecting the above noted matter.

Alderman Agro declared a conflict of interest in this matter as his Company does business with Champions Fitness Centre.

Alderman Merling spoke to the Committee about this matter, and following discussion, the Committee approved the following:

That the rental rate for the City's lease with 752413 Ontario Limited and Champions Fitness Limited for the space in the north-east quadrant of the retail level of Copps Coliseum (101 York Boulevard) be reduced from $4. per square foot to $2. per square foot for a one year period commencing 1995 December 20th and ending 1996 December 19th, on the condition that 752413 Ontario Limited and Champions Fitness Limited make arrangements satisfactory to the City Treasurer to pay the outstanding realty tax arrears for this area.

Note: Alderman Kiss opposed.

8. **SECRETARY, LICENSING COMMITTEE - Hours of Operation for Bingo Parlours**

The Committee was in receipt of a report from the Secretary of the Licensing Committee dated 1995 November 10, respecting the above noted matter and approved the following:

> That no action be taken on the request of Cameron & Johnstone Ltd., owners of the Delta Bingo Hall, to permit licensed bingo halls to extend the hour of closing to 4:00 o'clock a.m. on Saturday and Sunday mornings respectively.

9. **COMMISSIONER OF PUBLIC WORKS AND TRAFFIC - Purchase of three (3) 25 Yard Refuse Packers, Fleet Services**

The Committee was in receipt of a report from the Commissioner of Public Works and Traffic dated 1995 November 6, respecting the above noted matter.

Discussion ensued on why Freightliner Mid-Ontario in Rexdale was being recommended, rather than Hamilton Truck Service Ltd., Hamilton. C. Guthro of Public Works and Traffic advised that the Hamilton Company had affixed a payment term condition to its tender which would increase the total acquisition cost by approximately $3,000.

The Committee agreed that staff should contact Hamilton Truck Service Ltd., Hamilton to request that they remove this condition, and that if this is done that the contract be awarded to them.

The Committee thus approved the following **amended** recommendation on the anticipation that the Hamilton Company would agree to the removal of the condition:

(a) That a purchase order be issued to Hamilton Truck Service Ltd., Hamilton, in the amount of $397,681.50, including all applicable taxes, for the purchase of three (3) Refuse Packers for Fleet Services, being the lowest acceptable of six tenders received in accordance with specifications issued by Purchasing and Vendor's tender; and,

(b) That the purchase of the (3) Refuse Packers be funded in an amount of $360,000. from Capital Funds Account # CF5200 609551018; and,

(c) That the Finance and Administration Committee recommend the method of financing the unbudgeted balance of $37,681.50.

** **Secretary's Note**: Staff confirmed on 1955 November 23rd that the condition would be removed via their confirmation in writing.

10. **OTHER BUSINESS**

Under Other Business, the Committee heard from Mr. Edward Palonek, owner of 606 Aberdeen Avenue. Members of the Committee questioned Mr. Palonek on what his plans were in paying off the utility areas and current and back taxes. The Chairman stressed to Mr. Palonek a number of times to make arrangements with the City Treasurer to pay the tax arrears and current taxes on this property.

11. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1995 November 21

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Barbara Dawson	I	Title Searcher/Legal Clerk (15D)	Law	Replacing Ms. D. Gagnon - promoted Aug. 28/95	$32,332.04 to $37,077.04	Oct. 23/95
Mr. Douglas Hewson	I	Yard Attendant (D15)	Public Works	Replacing Mr. D. Clinch - retired Dec. 31/93	$36,416.64	March 07/94
Ms. Rose MacGowan	I	Caretaker (5C)	Property	Replacing Mr. R. Laduink - resigned, Aug. 29/95	$26,606.32 to $28,919.28	Aug. 30/95
Mr. Robert Taylor	I	Lead Hand/Truck Driver (D17)	Public Works	Replacing Mr. P. Defelice - retired, Oct. 01/95	$37,146.72	Oct. 10/95
Mr. Peter Vellenga	I	Truck Driver (D13)	Public Works	Replacing Mr. A. Diligenti terminated, June 25/95	$35,686.56	June 26/95

Prepared November 9, 1995

Status
Internal - I
External - E

Appendix "A" referred to in Section 7 of the TWENTY-EIGHTH Report of the Finance and Administration Committee for 1995.

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. James Arnold	Firefighter I	Fire	Retired	30 years	Nov. 01/95
Mr. Bauwe Bethlehem	Building Inspector	Building	Retired	32 years, 1 month	Sept. 29/95
Mr. Dennis Carson	Executive Assistant	Mayor's Office	Retired (Early)	10 years, 7 months	Sept. 29/95
Ms. Marjorie Denton	Curator	Culture & Recreation	Resigned	17 years, 5 months	Nov. 01/95
Mr. Pat DiFelice	Lead Hand/Truck Driver	Public Works	Retired	25 years, 4 months	Sept. 28/95
Mr. Gunter Dolnt	Lead Hand/Truck Driver	Public Works	Retired	33 years, 6 months	Sept. 29/95
Ms. Gyula Fawcett	Comm Adjustment Administrative Clerk	Building	Retired	14 years, 5 months	Sept. 29/95
Mr. Gordon Flett	Firefighter I	Fire	Retired	30 years	Oct. 31/95
Ms. Sandra Johnson	Secretary Client Services	H.E.C.F.I.	Resigned	7 years, 3 months	Sept. 26/95
Mr. John Keough	Labourer	Public Works	Retired	25 years, 4 months	Sept. 29/95
Ms. Zeltite Knowles	Cartographic Technician	Planning	Retired (Early)	21 years	Sept. 29/95

Prepared November 9, 1995

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	SERVICE	DATE
Mr. Larry Krouse	Labourer	Cemetery	Retired (Early)	22 years	Sept. 29/95
Mr. Joe Mochida	Supervisor Accounts Payable	Treasury	Retired (Early)	29 years, 7 months	Sept. 29/95
Mr. Anthony MacKinnon	General Foreman/Woman	Public Works	Retired	25 years, 1 month	Sept. 29/95
Ms. Helen Malham	Licence Steno I	City Clerk's	Retired	16 years	Nov. 30/95
Mr. Bradley McCoy	Parking Control Supervisor	Traffic	Retired	17 years, 3 months	Sept. 29/95
Ms. Dolores McPhail	Parking Violations Clerk	Traffic	Retired	16 years, 8 months	Sept. 29/95
Mr. Fred Rolfe	Greenskeeper II/Rinkfl	Public Works	Resigned	11 years, 4 months	Oct. 11/95
Mr. Al Rochead	Truck Driver	Public Works	Retired	22 years, 10 months	Oct. 31/95
Mr. William Sargeant	Zoning Examiner/Code Correlator	Building	Retired	31 years, 7 months	Sept. 29/95
Mr. John Tabone	Caretaker	Property	Retired	22 years, 9 months	Sept. 29/95
Ms. Bonnie Turnbull	Admin Assistant II	Treasury	Retired	15 years, 4 months	Sept. 29/95
Mr. Raymond Vallier	Tractor Operator	Public Works	Retired	24 years, 1 month	Sept. 29/95

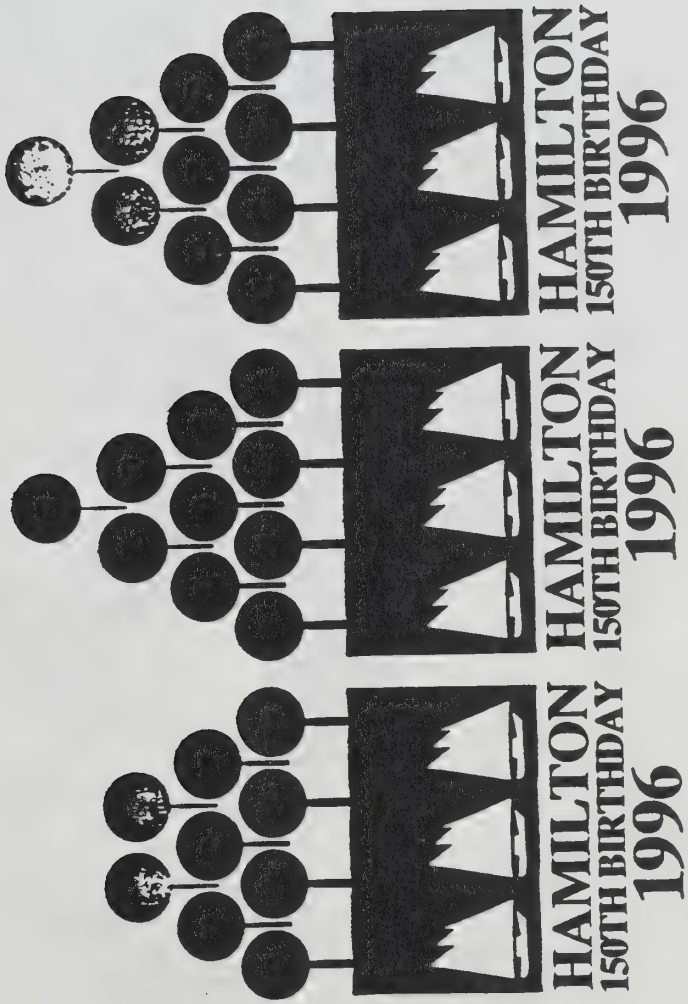
Prepared November 9, 1995

Glossary of Terms

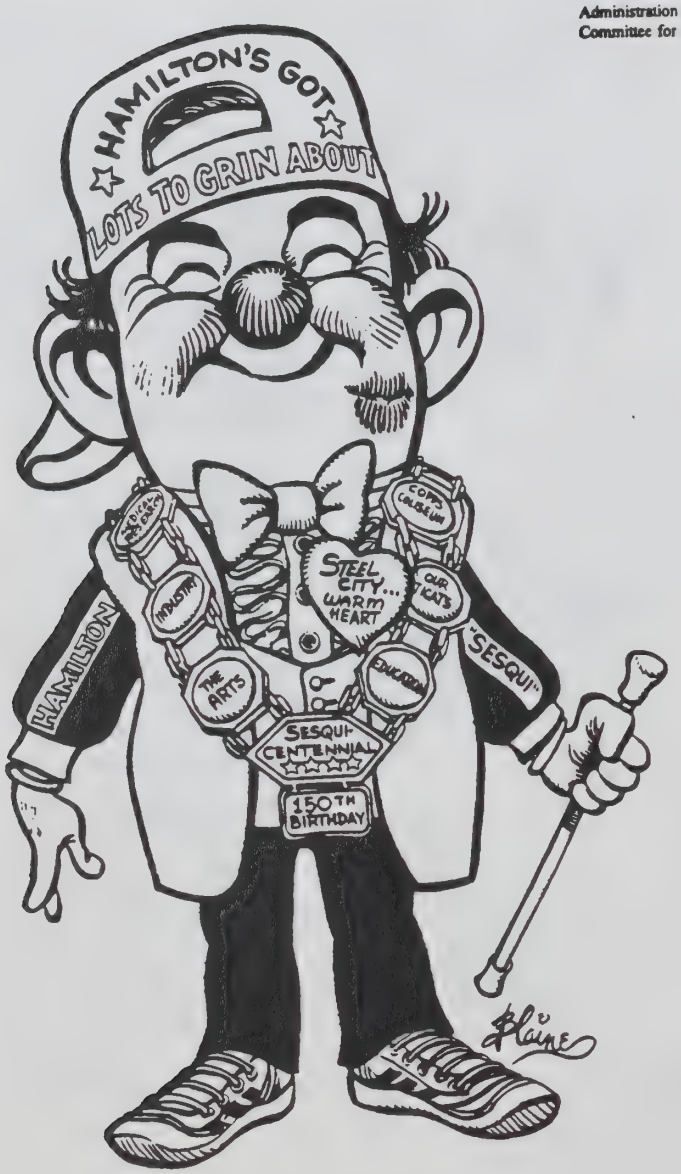
Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

Appendix "B" referr
to in Section 8 (a) c
TWENTY-EIGHTH Report
of the Finance and
Administration
Committee for 1995.



Appendix "C" referred to in Section 8 (b) of the TWENTY-EIGHTH Report of the Finance and Administration Committee for 1995.



B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 17

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing the City's share of servicing San Lorenzo Heights - Phase 1

RECOMMENDATION:

That the City's share of servicing San Lorenzo Heights - Phase 1 Subdivision at an estimated cost of $53,319., be financed from the Account Centre No. CH 00107 - Reserve for Services Through Unsubdividied Lands.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The net amount to be financed from all 1995 projects related to subdivision expenditures, including this recommendation is $112,662. The 1995 Capital Budget includes a provision of $1,273,000. for the City's share of subdivision expenditures in 1995.

BACKGROUND:

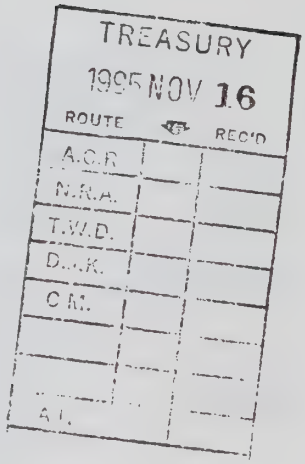
The details of this project are outlined in the attached report from E.M. Gill, Senior Director, Roads Department dated 1995 November 15.

NRA:jc
Att

c.c. E. M. Gill, P.Eng., Senior Director, Roads Department
Kevin C. Christenson, Secretary, Transport and Environment Committee

CITY OF HAMILTON

- RECOMMENDATION -



DATE: 1995 November 15
S719-74 M.P. Sabelli

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P. Eng.
Senior Director
Roads Department

SUBJECT: 1995 Servicing Expenditures Related to Subdivisions
(R-95-63)

RECOMMENDATION:

a) That the submitted schedule of works, be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated cost of services in:

"SAN LORENZO HEIGHTS - PHASE 1", Hamilton

City's Share - $ 53,319.00 Subdivider's Share - $ 159,274.00

b) That the Mayor and City Clerk be authorized and directed to execute the proposed subdivision agreement between the City and the Owner of "San Lorenzo Heights - Phase 1" subdivision.

c) That approval of the above clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement has been registered.

d) That in the event the subdivider wishes to proceed prior to the registration of the Final Plans and Subdivision Agreements, they should be allowed to do so at their own risk provided they enter into a standard agreement for pre-servicing.

Cont'd...

Cont'd...

e) That the City's share of services in "San Lorenzo Heights - Phase 1", Hamilton ($ 53,319.00) be approved and that the Finance and Administration Committee recommend the source of funding.

E. M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The total estimated cost of the City's share of services to be approved for "San Lorenzo Heights - Phase 1" is $ 53,319.00.

A portion of the City's share ($ 45,917.27) is associated with above ground municipal services on Jeremy Street adjacent to lands outside the plan of subdivision. This portion of the City's share is in accordance with current cost sharing policies and is fully recoverable through the mechanism of 0.30 metre reserves.

The remainder of the City's share ($ 7,401.73) is associated with extra depth asphalt on Jeremy Street and Lorenzo Drive. This is in accordance with the City's current cost sharing policy where by the City pays for the portion of the local roadway which is over and above the standard depth and is non-recoverable.

Cont'd...

Cont'd...

BACKGROUND:

On 1995 May 30, City Council in adopting Item 6 of the 14th Report of the Planning and Development Committee approved the proposed draft plan of subdivision for "San Lorenzo Heights", under the condition that the Owner, 603976 Ontario Limited (Terra Homes) enter into a subdivision agreement with the City of Hamilton. The development of "San Lorenzo Heights - Phase 1" will result in the creation of twenty-six (26) lots for single family homes.

An estimate of costs have been calculated in accordance with current City cost sharing policy and there will be a City share as discussed in the Financial section of this report.

The owner, 603976 Ontario Limited (Terra Homes) is required to construct a finished roadway, including sidewalks and curbs on Jeremy Street (an existing public highway, outside of the limits of the Final Plan of Subdivision with no physical roadway) to provide access from Chipman Avenue to the subject lands to be developed. This portion of Jeremy Street extends along the flankage of two existing lots for a distance of approximately 47.0 metres.

Since Jeremy Street (formerly Ridge Street) was dedicated by plan of subdivision as a public highway, the construction of these services would normally be done under the provisions of the Local Improvement Act. The owner has attempted to have the two abutting owners petition for these works under Section 11 of the Local Improvement Act but was unsuccessful as the two owners refused to sign. The owners are unwilling to contribute to the cost of the roadway under the Local Improvement Act at this time as they do not derive any benefit from the road. However, due to the depth of the lots, there exists in the future, the potential for both properties to each create a new lot fronting on Jeremy Street by land severance.

Cont'd...

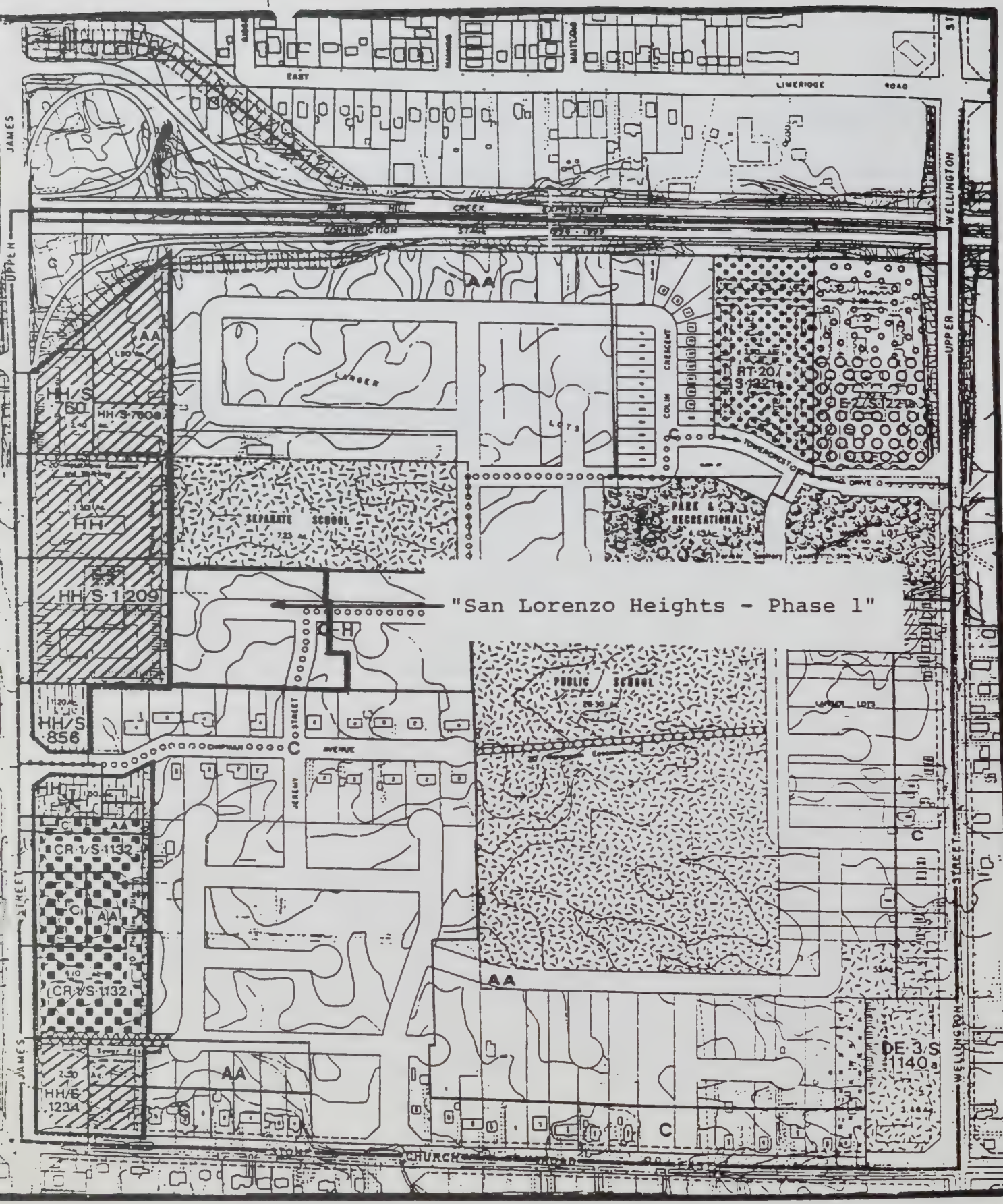
Cont'd...

As the local was turned down, staff recommend that the City treat this situation as a "Stub Street" and have the City pay the cost of the road upfront and establish 0.30 metre reserves for the purpose of restricting access and recovering servicing costs in the future.

The lands of "San Lorenzo Heights - Phase 1" subdivision are located east of Upper James Street and north of Stone Church Road East in the Jerome Planning Neighbourhood.

MPS
(Attach.)

cc: A.C. Ross, City Treasury Department
Att: N. Adhya
cc: Finance and Administration
Att: Councillor D. Ross, Chairman
Att: S. Reeder, Secretary



KEY PLAN

NTS

JEROME

APPROVED PLAN

1995 SUBDIVISION EXPENDITURE SUMMARY

Name of: - SUBDIVISION - DEVELOPER - CONSULTANT - SURVEYOR	# OF LOTS and LOCATION	SUBDIVISION AGREEMENT AUTHORIZATION	DESCRIPTION OF WORKS	CITY'S SHARE OF EXPENDITURES RECOVERABLE COSTS	CITY'S SHARE OF EXPENDITURES NON-RECOVERABLE & OVERSIZED COSTS	TOTAL CITY'S SHARE	TOTAL SUBDIVIDER'S SHARE	TOTAL COSTS
"SAN LORENZO HEIGHTS - PHASE 1" 603976 ONTARIO LIMITED (TERRA HOMES) A.J. CLARKE AND ASSOCIATES LIMITED FILE NO. S719-74 M.P. SABELLI, C.E.T.	26 LOTS HAMILTON	COUNCIL 95 MAY 30 P&D 14-95 ITEM NO. 6	Catch Basins & Connections	$9,032.00	$0.00			
			Curbs & Sidewalks	$11,922.57	$0.00			
			Finished Roads	$22,399.70	$7,401.73			
			Sewers & Watermains	$0.00	$0.00			
			Seeding/Sodding	$1,063.00	$0.00			
			Street Lighting	$1,500.00	$0.00			
						$53,319.00	$159,274.00	$212,593.00
TOTALS:				$45,917.27	$7,401.73	$53,319.00	$159,274.00	$212,593.00

* OVERSIZING EXPENDITURES are Non-Recoverable
* 0.3 METRE RESERVE EXPENDITURES are Fully Recoverable

B. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 29

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Construction of a Concrete Alley First South of Hunter Street From Bay Street to Approximately 83.5m Westerly

RECOMMENDATION:

That the Commissioner of Public Works and Traffic be authorized to prepare an appropriate By-Law in a form satisfactory to the City Solicitor to construct a concrete alley first south of Hunter Street from Bay Street to approximately 83.5m westerly under the Local Improvement Act at an estimated cost of $48,000. with the City's share of $35,060.49 to be financed from the 1995 Capital Levy (Account Centre No. CH 22002) and the balance of $12,939.51 being the owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $12,939.51 for a term not to exceed 20 years for the above project.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

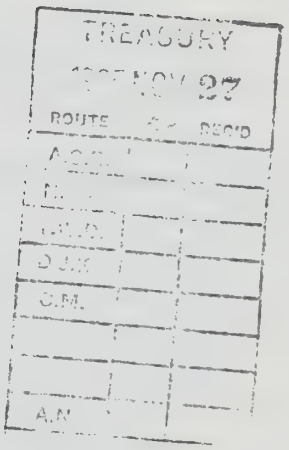
The 1995 Capital Budget includes a provision for the City's share of Local Improvements in the gross amount of $650,000. with a Provincial subsidy of $163,000. and a balance of $487,000. to be financed from the 1995 Capital Levy. The City's share of Local Improvements approved in 1995 including this recommendation, amount to $153,919.79. The issuance of debenture for this project will not exceed the City's prescribed limit as outlined in the Municipal Act.

BACKGROUND:

This item is to be considered by the Transport and Environment Committee on 1995 December 4. The details of this project are outlined in the attached letter from D. Lobo, Commissioner of Public Works and Traffic, dated 1995 November 23.

NRA:jc
Attachment

c.c. Kevin C. Christenson, Secretary, Transport and Environment Committee
D. Lobo, Commissioner of Public Works & Traffic
P. Noé Johnson, City Solicitor, Attention: S. Riley and D. Powers
J. Bruzzese, Acting Commissioner of Finance, Region
Doug Onishi, Director of Design & Construction,
Transportation/Environmental Services Group
M. Watson, Manager, Real Estate Division, Property Department



CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 23

REPORT TO: K. Christenson
Secretary, Transport and Environment Committee

FROM: D. Lobo
Commissioner of Public Works & Traffic

SUBJECT: **Construction of a Concrete Alley**
First South of Hunter Street From Bay Street to
Approximately 83.5m Westerly (East-West Portion Only)

RECOMMENDATION:

1. That the construction of a concrete alley first south of Hunter Street from Bay Street to approximately 83.5m westerly, proceed as a local improvement pursuant to Section 12 of The Local Improvement Act at an estimated gross cost of $48,000 with a City's Share of $35,060.49 and an Owner's Share of $12,939.51 provided the owners of 136 Bay Street South and 121 Hunter Street West commute a portion of the Owner's Share for 130 and 132 Bold Street apportioned on a frontage basis as follows: 136 Bay Street South - $776.33 and 121 Hunter Street West - $806.48, and the remaining portion of the Owner's Share ($375.29) be added to the Owner's Share for 120 Bay Street South (City-owned) all as provided in the 1995 portion of the 1995-2004 Capital Budget; and

2. That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and

3. That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and

4. That the Commissioner of Public Works and Traffic be authorized and directed to prepare the necessary By-law in a form satisfactory to the City Solicitor; and

5. That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Owner's Share for 130 and 132 Bold Street which is $1,093.54 and $864.56 respectively and totals $1,958.10 is proposed to be rated proportionately by frontage to the owners of 120 Bay Street South (City $375.29), 136 Bay Street South ($776.33) and 121 Hunter Street West ($806.48). Provision has been made for these works in the 1995-2004 Capital Budget. The estimated cost per metre for a concrete alley is $107.00 per metre. If approved, the project will reduce the balances available in the City's share to $496,080.21 and the Owner's Share to $422,249.80.

BACKGROUND:

Alderman McCulloch has received inquiries regarding the paving of the public unassumed alley which is the first south of Hunter Street running from Bay Street to approximately 83.5m westerly (see attached plan). There are five owners abutting this alley. In order for the owners to petition successfully under Section 11 of The Act, four of the five owners would be required to sign the petition. Since there is a significant grade difference between the alley and the properties at 130 and 132 Bold, it is unlikely that they would sign the petition. Alternatively, if the City initiates the work under Section 12, the owners would not be able to petition against the work.

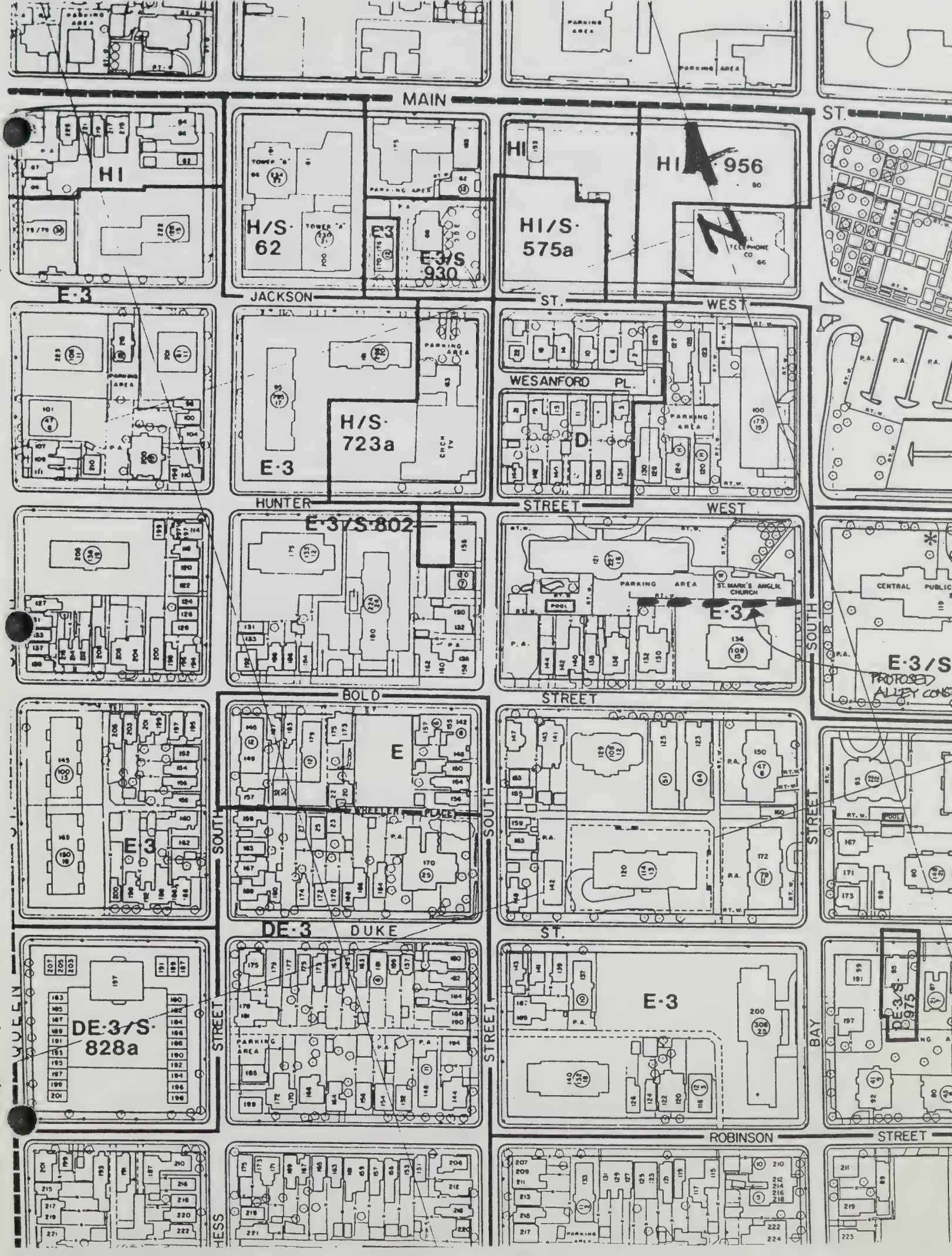
In this case it would be fair and equitable for the City (as owners of 120 Bay Street South) and the owners of 136 Bay Street South and 121 Hunter Street West to commute the Owner's Share for 130 and 132 Bold Street and share these costs proportionately based on their frontage on the alley.

The City Solicitor advises that these costs should be paid up front prior to the work proceeding since there is no legal requirement for them to pay these additional costs.

The owners of 136 Bay Street South and 121 Hunter Street West have indicated they would be willing to assume their respective portions of the cost for 130 and 132 Bold Street.

RPM/rb
attachment

c.c. J. J. Schatz, City Clerk
c.c. P. Noé Johnson, City Solicitor
Attn: D. Powers
c.c. S. Reeder, Secretary, Finance and Administration Committee
c.c. A. Ross, City Treasurer, Attn: N. Adhya
c.c. A. Ross, City Treasurer, Attn: D. Winthrow
c.c. J. Bruzzese, Acting Commissioner of Finance
c.c. D. Y. Onishi, Director, Design and Construction, Roads Department
c.c. M. C. J. Watson, Manager, Real Estate Division, Property Department


MAIN
ST.
HI
H/S·
62
E·3
E·3/S
930
HI/S·
575a
HI
956
JACKSON
ST.
WEST
WESANFORD PL.
H/S·
723a
E·3
D
HUNTER
STREET
WEST
E·3/S·802
PARKING AREA
ST. MARK'S ANGLN. CHURCH
E·3
SOUTH
CENTRAL PUBLIC
E·3/S
PROPOSED ALLEY CONS
BOLD
STREET
E
WHEELER PLACE
SOUTH
E·3
STREET
DE·3
DUKE
ST.
DE·3/S·
828a
STREET
STREET
E·3
BAY
DE·3/S·
975
ROBINSON
STREET
HESS

B. (iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 29

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing the City's share of servicing Wheten Court Subdivision

RECOMMENDATION:

That the City's share of constructing sidewalks on Wingate Place in Wheten Court Subdivision at an estimated cost of $19,100., be financed from the Account Centre No. CH 00107 - Reserve for Services Through Unsubdivided Lands.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The net amount to be financed from all 1995 projects related to subdivision expenditures, including this recommendation is $131,762. The 1995 Capital Budget includes a provision of $1,273,000. for the City's share of subdivision expenditures in 1995.

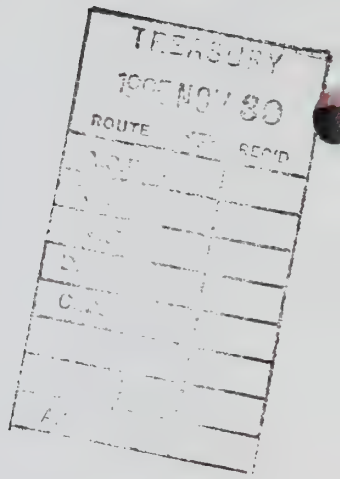
BACKGROUND:

The details of this project are outlined in the attached report from D. Lobo, Commissioner of Public Works and Traffic, dated 1995 November 23.

NRA:jc
Attachment

c.c. E.M. Gill, P.Eng., Senior Director, Roads Department, Attention: D.Y. Onishi
Kevin C. Christenson, Secretary, Transport and Environment Committee
Dan Vyce, Director of Property, Property Department, Attention: M.C.J. Watson

Revised



CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 29

REPORT TO: K. Christenson
Secretary, Transport and Environment Committee

FROM: D. Lobo
Commissioner of Public Works & Traffic

SUBJECT: **Request for Construction of Sidewalks on Wingate Place in Wheten Court Subdivision**

RECOMMENDATION:

1. That the request of nine of the thirteen owners on Wingate Place for the construction of concrete sidewalks on Wingate Place in Wheten Court Subdivision, at an estimated cost of $19,100, be approved.

2. That the Commissioner of Transportation/Environmental Services be authorized and directed to construct these works on behalf of the City.

3. That the Finance and Administration Committee recommend a source of funding for this project.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The estimated cost to construct concrete sidewalks on Wingate Place is $19,100.

BACKGROUND:

The plan for Wheten Court Subdivision was registered on October 2, 1990. The City owned the lots since it was the site of the former Public Works Yard. Council authorized the sale of 24 residential building lots by tender on April 13, 1993 in adopting Item 28 of the fourth Report of Your Committee. There is no subdivision agreement since these were City-owned lands.

All subdivision agreements since November 25, 1986 contain a clause which states that where residents petition for sidewalks and the petition receives approval by the City under local improvements within five years of the date of the subdivision agreement, the Company (in this case the City) would pay all costs in full for the sidewalk.

Although there is no subdivision agreement, it would be fair and equitable to treat this request as if an agreement existed. We have received a petition signed by nine of the thirteen owners on Wingate Place (see attached). Since this represents the required 2/3 majority and majority of the assessed value of the lots under The Local Improvement Act, we recommend the construction of the sidewalks proceed. The location of the subdivision is shown on the attached plan.

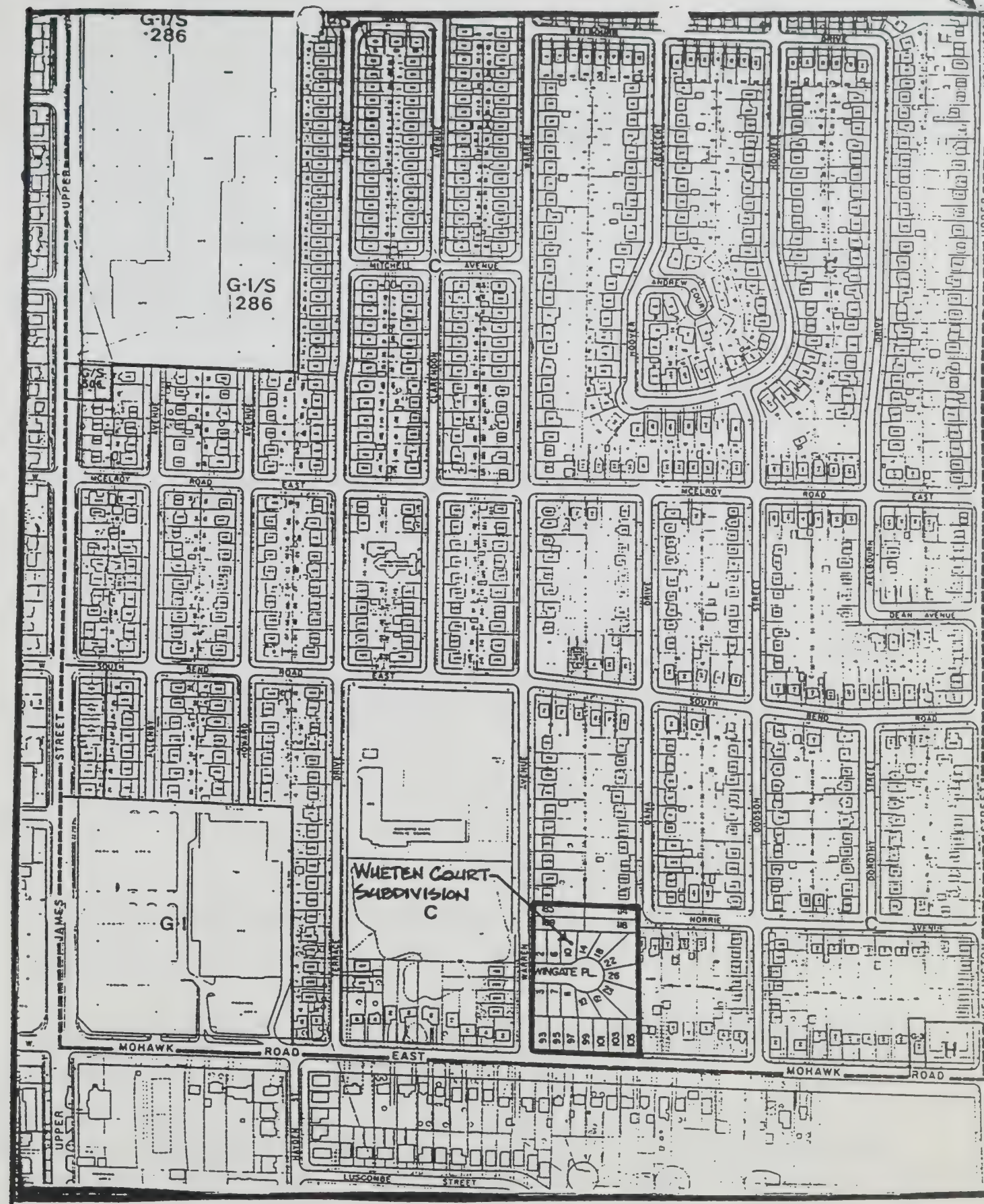
RPM/rb
attachment

c.c. D. Y. Onishi, Director, Design & Construction, Roads Department
c.c. Susan Reeder, Secretary, Finance & Administration Committee
c.c. Nik Adhya, Treasury Department
c.c. M.C.J. Watson, Manager, Real Estate Division, Property Department

PETITION, REQUESTING THE INSTALLATION OF A SIDEWALK

We the undersigned, reside in Wingate Place (Court) Hamilton. Through this petition we hereby request from the City of Hamilton a sidewalk be installed in our court. At present in the absence of a sidewalk, our children are forced to walk on the street and this is dangerous. For the safety of our children, we trust you will consider our request.

SIGNATURES		ADDRESS
		22 Wingate Pl.
		23 WINGATE PLACE
Bertino Reis		26 Wingate Pl.
Maria B. Reis		26 Wingate Pl.
Wiesław Chapko	Katarzyna Chapko	19 Wingate Pl
		7 Wingate Pl.
		15 Wingate Pl.
		3 Wingate
		18 WINGATE PL.
		17 WINGATE PL.



KEY PLAN

NTS

BALFOUR

APPROVED PLAN

C. (i)

CITY OF HAMILTON

- RECOMMENDATION -

NOV 27 1995

DATE: 1995 November 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Offer to Purchase - 775 Upper Wentworth Street
Elite Realty Corp.

RECOMMENDATION:

(a) That Item 12 of the 14th Report of Finance and Administration Committee respecting "Offer to Purchase - 775 Upper Wentworth Street, Elite Realty Corp." be amended by extending the closing date from 1995 December 15 to 1996 February 15, with all other terms and conditions remaining the same and time continuing to remain of the essence; and,

(b) That the City Solicitor be authorized and directed to take appropriate action in dealing with this matter.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

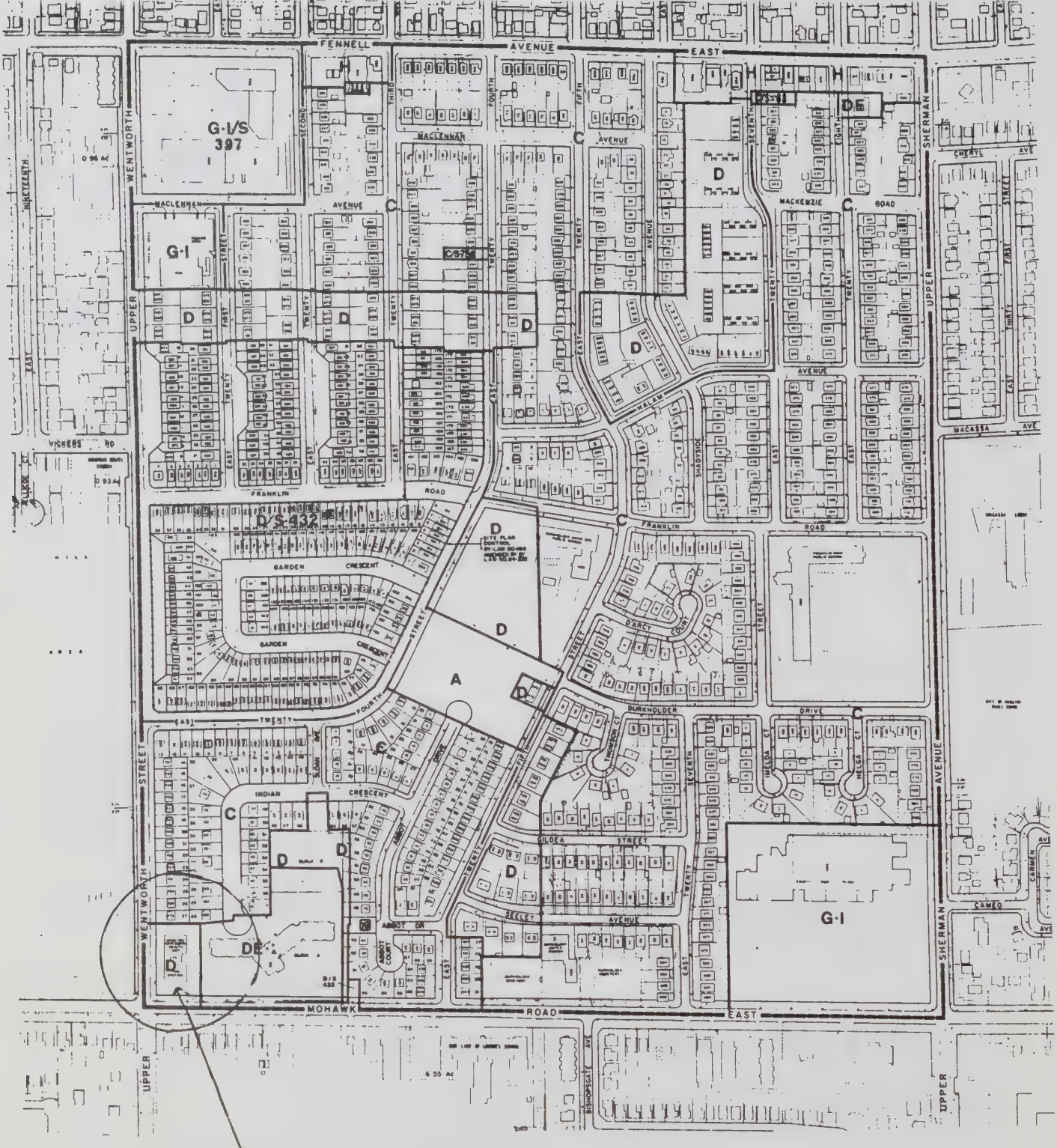
BACKGROUND:

City Council, at its meeting held on 1995 May 9, adopted Item 12 of the 14th Report of Finance and Administration Committee respecting "Offer to Purchase - 775 Upper Wentworth Street, Elite Realty Corp." scheduled to close on 1995 December 15.

The Offer to Purchase is conditional upon the Purchaser obtaining a rezoning of the subject land to allow general office use. This 60 day extension of the closing date is to allow the purchaser more time for site plan approval, which is a condition of the rezoning.

REL/hew

c.c. P. Noé Johnson, City Solicitor
Attention: Jennifer Lessing
Allan C. Ross, Treasurer
C. Bandurka, Property Clerk, Surveys
R. Swan, Manager, Building Operations and Maintenance Division



Subject Property

68	42	111
65	18	96
16	130	96

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department.

Neighbourhood Boundary
Zoning Boundary.

Prepared for The City of Hamilton
by the Planning and Development Department
of The Regional Municipality of Hamilton-Wentworth.

CITY OF HAMILTON

BURKHOLME

ZONING

0 100m
SCALE 50m
NORTH

PLANNING UNIT NO 7206

PAGE NO 18

C.(ii)

CITY OF HAMILTON

- RECOMMENDATION -

NOV 27 1995

DATE: 1995 November 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Realty Sales Procedural By-law 95-049
Declaration of Surplus Property

RECOMMENDATION:

(a) That the following properties be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049:

(i) 5 foot strip of land between 459 and 465 Bay Street North
(ii) 1453 Main Street East
(iii) 188 Cavell Avenue
(iv) 1717 Upper James Street
(v) Three residential building lots on the S/E corner of Stone Church Road East and DiCenzo Drive

(b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

By-law 95-049 requires all City owned lands not exempt by Ontario Regulation 815/94 be declared surplus prior to sale.

BACKGROUND:

Effective 1995 January 1 the Municipal Act was amended by the Planning and Municipal Statute Law Amendment Act requiring municipalities to enact a by-law to establish procedures for the sale of real property owned by a municipality.

On 1995 February 14 City Council adopted Item 8 of the 5th Report of the Finance and Administration Committee and enacted the Realty Sales Procedure By-law 95-049. Section 5(a) of this by-law declares that "Real property of the City shall not be sold unless it is surplus to the requirement of the City."

All of the properties being recommended as surplus have been circulated to all City departments and associated boards and commissions and there has been no declared municipal interest, with the following exception:

> 1453 Main Street East, the Roads Department indicated that a daylight triangle measuring 5.0 m x 5.0 m be retained, and transferred to the Region for Road widening purposes.

REL/hew

c.c Joe Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor
J.J. Schatz, City Clerk
Peter Baker, Parking Authority

PROPERTY DESCRIPTION

a) 5 foot strip of land between 459 and 465 Bay Street North
The 465 square foot strip of land zoned D "Single and Double" Residential, was acquired by the City when the 'Lax' property was expropriated. This parcel of land is not part of the park, and the adjacent landowner has a right-of-way over it.

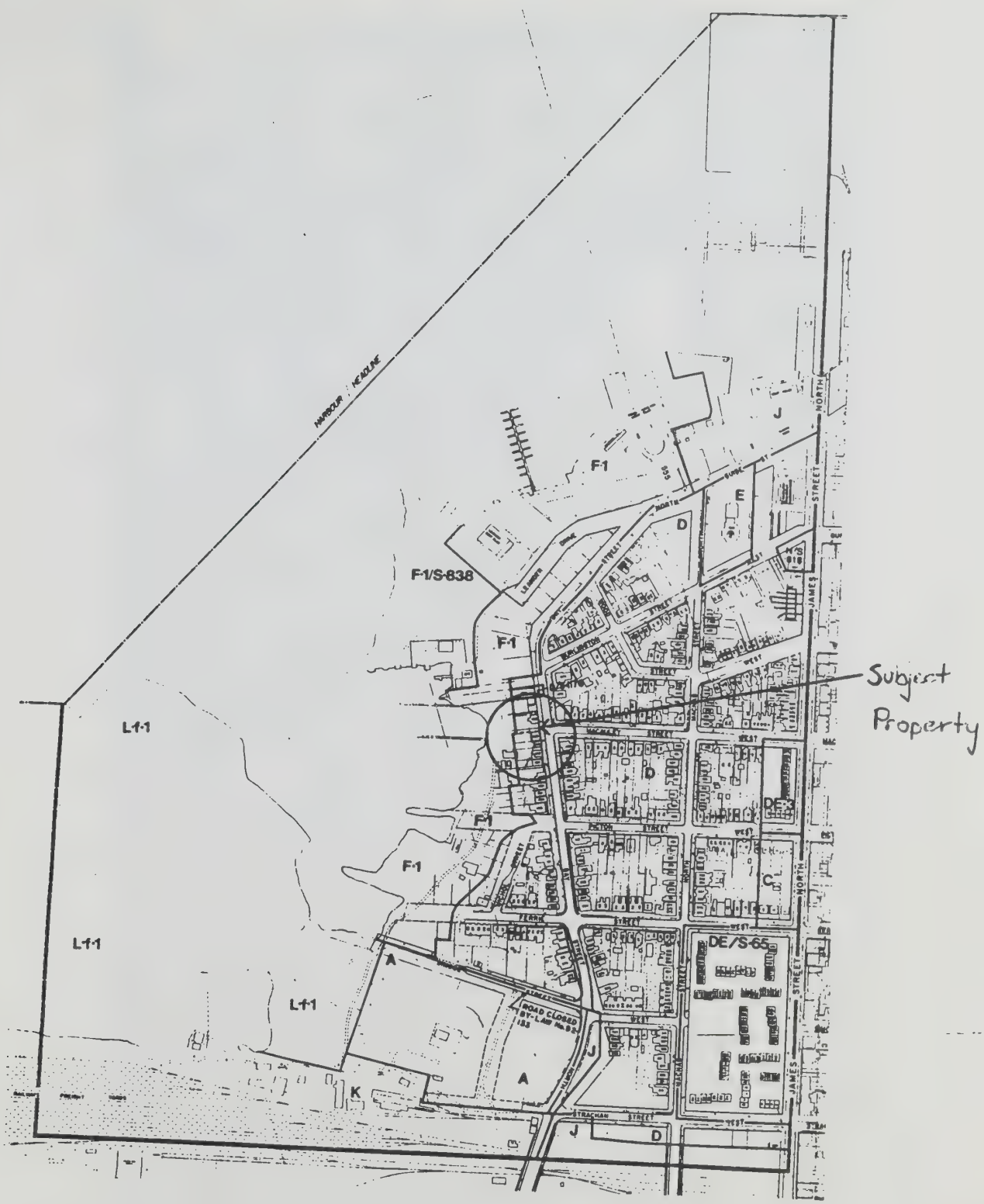
b) 1453 Main Street East, Municipal Car Park #11
The 3,000 square foot parking lot is located at the north-west corner of Garside and Main Street West and is zoned H "Community Shopping & Commercial, Etc.".

c) 188 Cavell Avenue
The City acquired this property through the tax arrear process. The parcel of vacant land measures 21.5 ft. x 80 ft. and is currently being used for parking. The land is located on the east side of Cavell Avenue, north of Barton Street East and is zoned JJ/S-746 "Restricted Light Industrial".

d) 1717 Upper James Street
The subject parcel is part of a large piece of land purchased in 1962 for the extension of McClary Avenue. The Allison Neighbourhood Plan, approved by City Council on August 27, 1991 set out that only a portion of the original lands purchased will be required for road purposes and therefore the subject 68' x 220' surplus to the City's requirements.

e) Three residential building lots on the S/E corner of Stone Church Road East and DiCenzo Drive. The lots are zoned B-2 "Modified Residential". These parcels of subject lands total approximately 5,800 square feet.

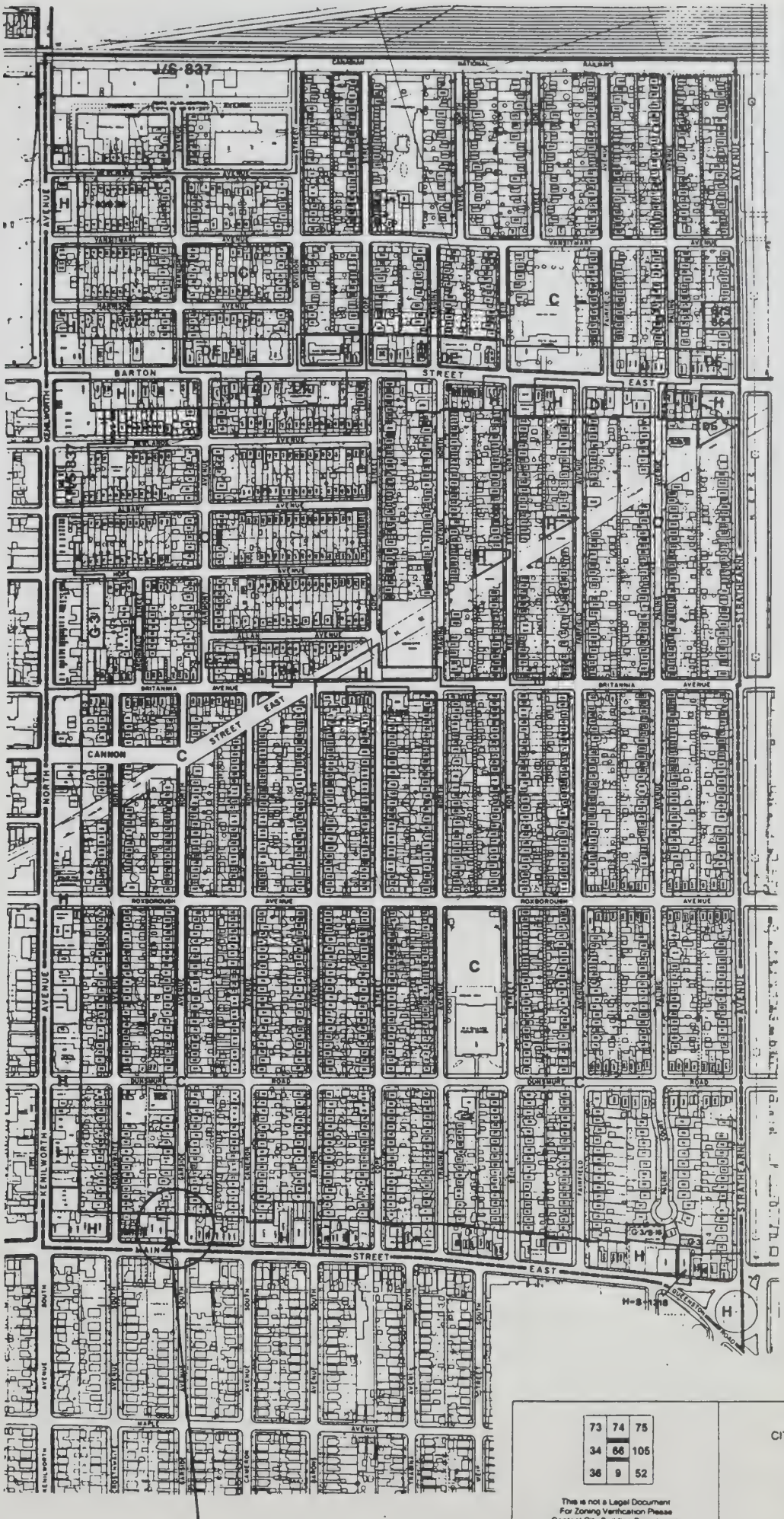
(i)



All Lands Within This Neighbourhood Is Subject To Site Plan Control By-law No. 90-285.

40 107 106 127 21 10 This is not a Legal Document For Zoning Verification Please Contact City Building Department.	CITY OF HAMILTON NORTH END WEST ZONING
Neighbourhood Boundary Zoning Boundary	0 100m SCALE 50m NORTH
Prepared for The City of Hamilton By the Planning and Development Department of The Regional Municipality of Hamilton-Wentworth	PLANNING UNIT NO. 6102 PAGE NO. 107

(ii)



Subject property

73	74	75
34	66	105
36	9	52

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department

CITY OF HAMILTON

HOMESIDE

ZONING

Neighbourhood Boundary
Zoning Boundary

0 50m 100m
SCALE
NORTH

Prepared for The City of Hamilton
By the Planning and Development Department
of The Regional Municipality of Hamilton-Wentworth

PLANNING UNIT NO 6509

PAGE NO 66

(iii)



71	72	73
126	35	34
12	37	36

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department

CITY OF HAMILTON

CROWN POINT WEST

ZONING

Neighbourhood Boundary

Zoning Boundary

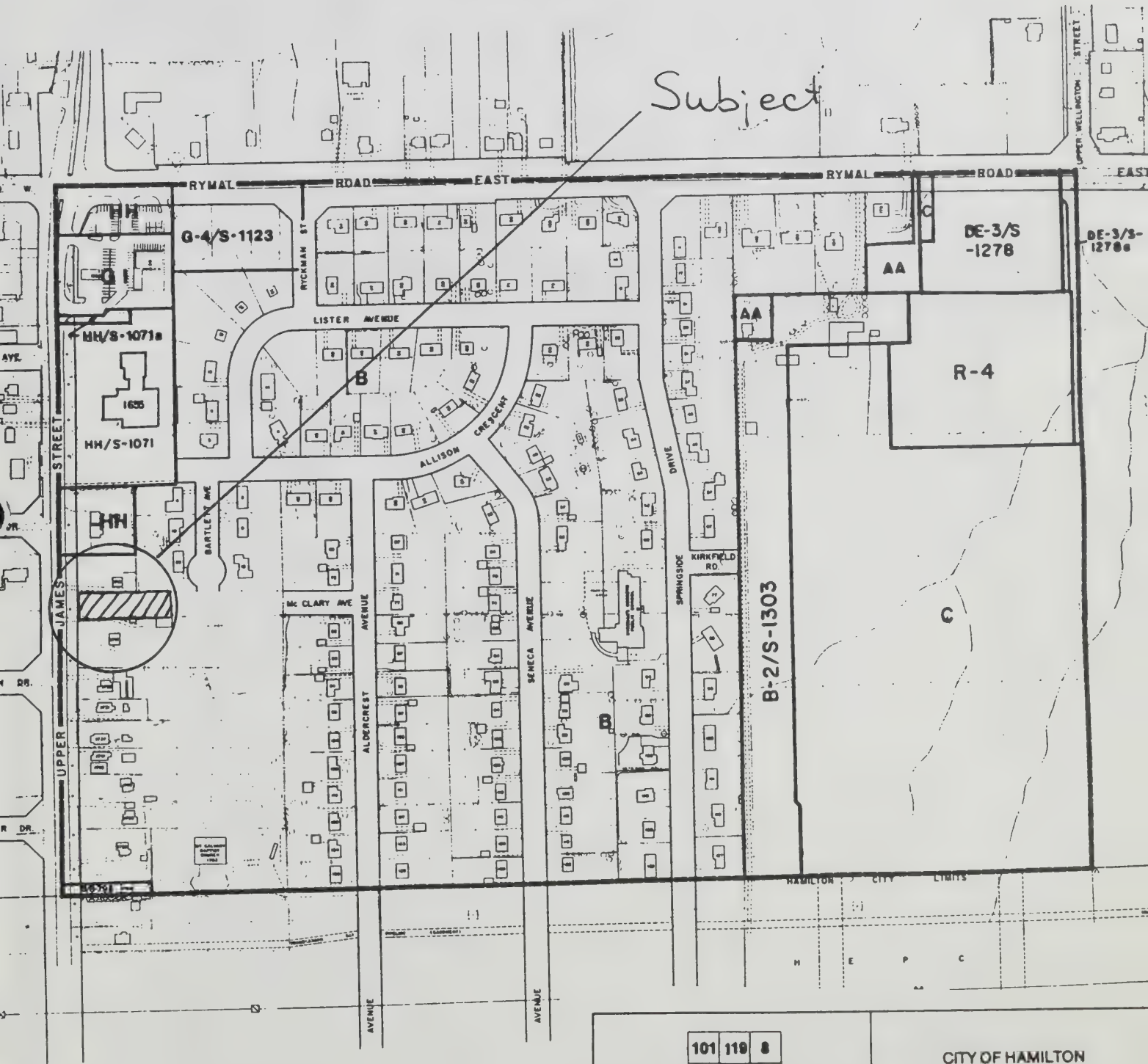
SCALE 0 50m 100m

Prepared for The City of Hamilton
by the Planning and Development Department
of The Regional Municipality of Hamilton-Wentworth

PLANNING UNIT NO. 8606

PAGE NO. 25

(IV



101	119	8
83	6	24

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department.

CITY OF HAMILTON

ALLISON

ZONING

Neighbourhood Boundary
Zoning Boundary.

0 100m
SCALE 50m
NORTH

Prepared for The City of Hamilton
by the Planning and Development Department
of The Regional Municipality of Hamilton-Wentworth

PLANNING UNIT NO
7501

PAGE NO
6

86	82	33
101	119	8
83	6	24

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department.

CITY OF HAMILTON

RYCKMANS

ZONING

Neighbourhood Boundary
Zoning Boundary

0 100m
SCALE 50m
NORTH

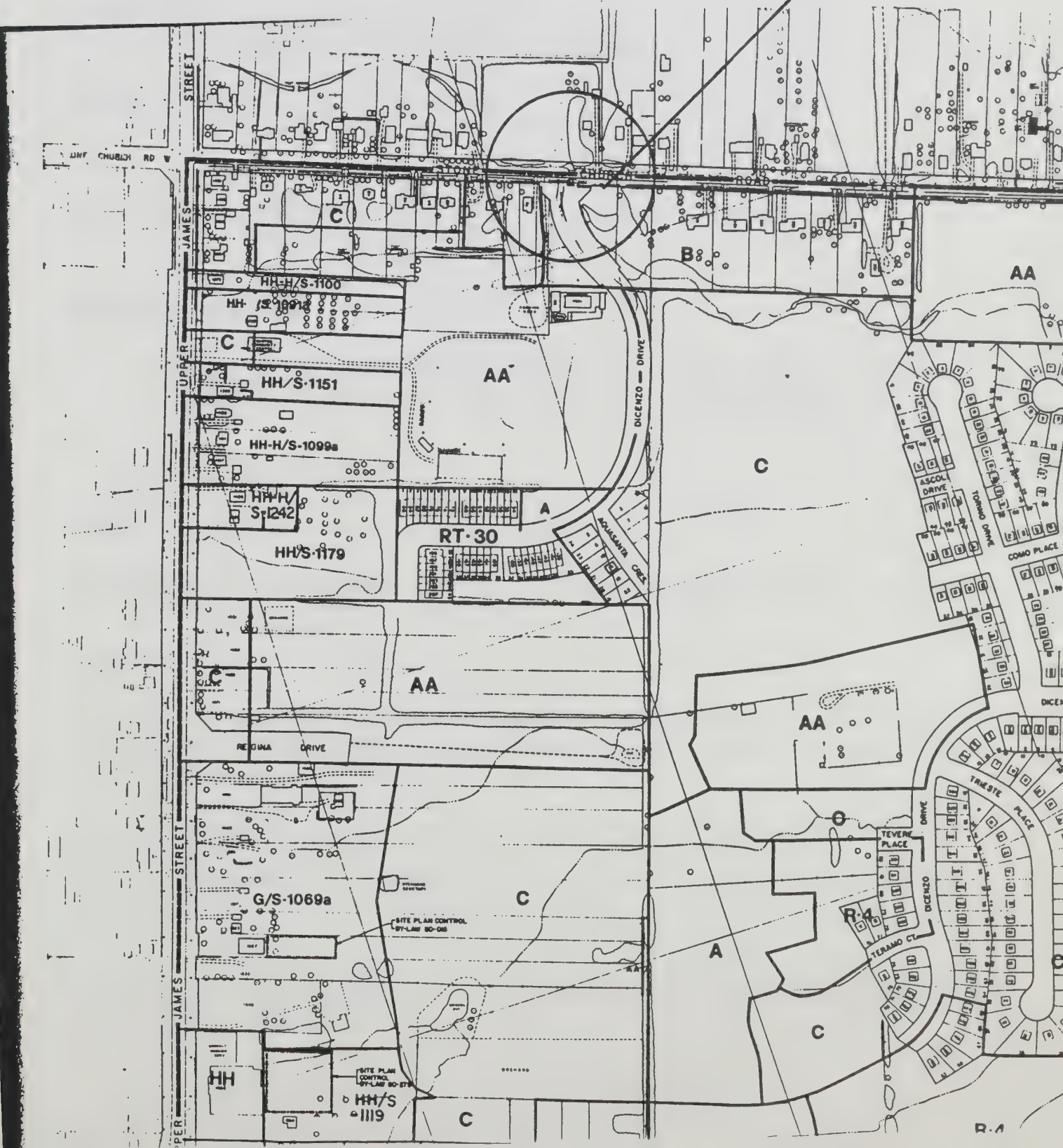
Prepared for The City of Hamilton
by the Planning and Development Department
of The Regional Municipality of Hamilton - Wentworth

PLANNING UNIT NO. 7508

PAGE NO. 119

(V

Subject Lands



D.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 22

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. G. Hindson, P.Eng.
Director of Information Systems

SUBJECT: Payment of 1996 Dunn and Bradstreet Software Maintenance Invoice (I/S 95-151)

RECOMMENDATION:

That the 1996 invoice for $94,396. (plus GST) from Dunn and Bradstreet Software be authorized for payment from Account CH 5609X-26021 (User Software).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The amount of the invoice is within the estimated amount included for this service in the 1996 operating budget.

BACKGROUND:

The Region and the City of Hamilton currently utilize computer software from DBS (Dunn and Bradstreet Software) for their Human Resources, Payroll/Personnel and Financial Information systems.

Under the terms of the DBS Agreement, each licensee of their products pays an annual maintenance fee for the software. The software maintenance fees entitle each user to software enhancements and upgrades at no cost, software problem bulletins and, in particular, provides for 24 hour support for the software to assist with any difficulties or problems encountered.

In 1996, the maintenance invoice for the DBS software modules in use is $94,395 and is due for payment on 1996 January 1.

E. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Terminations from Permanent Positions with the Corporation of the City of Hamilton (C-044-095)

RECOMMENDATION:

That the attached listing of Terminations from Permanent positions with the Corporation to 1995 November 24 be approved.

JJ/mb

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached.

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Paul Beltrano	Truck Driver	Public Works	Terminated	11 years, 10 months	Sept. 19/95

Prepared November 24, 1995

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

E.(ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 24

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Roofers Provincial Collective Agreement Local 537
(C-045-095)

RECOMMENDATION:

(1) That the amendment to the Roofers Provincial Collective Agreement, Local 537, be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton, and,

(2) That the Fair Wage Schedule be amended to reflect this change.

/mb

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

(Term of the Collective Agreement - 1995-1998)

Effective May 1, 1995

POSITION	HRLY. WAGE RATE	PENSION	FOREMAN PREMIUM
Foreman	$26.95	$1.03	$1.50
Journeyman	$26.38	$1.03	
Material Handler	$24.59	$1.03	
Apprentice-3rd yr.	$20.93	$1.03	
Apprentice-2nd yr.	$18.18	$1.03	
Apprentice-1st yr.	$15.45	$1.03	
PreApprentice	$12.73	$1.03	

Effective November 1, 1996

POSITION	HRLY. WAGE RATE	PENSION	FOREMAN PREMIUM
Foreman	$27.23	$1.03	$1.50
Journeyman	$26.65	$1.03	
Material Handler	$24.86	$1.03	
Apprentice-3rd yr.	$21.15	$1.03	
Apprentice-2nd yr.	$18.37	$1.03	
Apprentice-1st yr.	$15.62	$1.03	
PreApprentice	$12.86	$1.03	

Effective May 1, 1997

POSITION	HRLY. WAGE RATE	PENSION	FOREMAN PREMIUM
Foreman	$27.87	$1.03	$1.75
Journeyman	$27.29	$1.03	
Material Handler	$25.50	$1.03	
Apprentice-3rd yr.	$21.65	$1.03	
Apprentice-2nd yr.	$18.82	$1.03	
Apprentice-1st yr.	$16.00	$1.03	
PreApprentice	$13.18	$1.03	

E. (iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 24

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: International Brotherhood of Electrical Workers - Local 105 (C-046-095)

RECOMMENDATION:

(1) That the amendment to the International Brotherhood of Electrical Workers, Local 105, be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton, and,

(2) That the Fair Wage Schedule be amended to reflect this change.

/mb

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Effective May 1, 1995

POSITION	HRLY. WAGE RATE	RETIREMENT FUND	HEALTH & WELFARE
Journeyman	$27.32	$3.00	$1.40
Foreman	$30.14	$3.00	$1.40
Apprentice:			
1st period	$10.39	$3.00	$1.40
2nd period	$13.21	$3.00	$1.40
3rd period	$16.03	$3.00	$1.40
4th period	$18.85	$3.00	$1.40
5th period	$21.68	$3.00	$1.40

Effective May 1, 1996

POSITION	HRLY. WAGE RATE	RETIREMENT FUND	HEALTH & WELFARE
Journeyman	$27.89	$3.00	$1.40
Foreman	$30.77	$3.00	$1.40
Apprentice:			
1st period	$10.59	$3.00	$1.40
2nd period	$13.47	$3.00	$1.40
3rd period	$16.35	$3.00	$1.40
4th period	$19.24	$3.00	$1.40
5th period	$22.12	$3.00	$1.40

Effective May 1, 1997

POSITION	HRLY. WAGE RATE	RETIREMENT FUND	HEALTH & WELFARE
Journeyman	$28.79	$3.00	$1.40
Foreman	$31.78	$3.00	$1.40
Apprentice:			
1st period	$10.95	$3.00	$1.40
2nd period	$13.93	$3.00	$1.40
3rd period	$16.90	$3.00	$1.40
4th period	$19.87	$3.00	$1.40
5th period	$22.85	$3.00	$1.40

F. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 27

NOV 2 6 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: **1995 Debenture Projects and Amounts - Major Maintenance to Civic Buildings**

RECOMMENDATION:

That the attached By-law be enacted by City Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

City Council, on November 14, 1995 in adopting Section 4 of the 27th Report of the Finance and Administration Committee authorized the City Solicitor to prepare the attached By-law to reduce the Major Maintenance to Civic Buildings Project debenture amount.

LEF:as

c.c. A. Ross, Treasurer
Attention: G. Keith

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend

By-law No. 95-090

Respecting

1995 DEBENTURE PROJECTS AND AMOUNTS

WHEREAS By-law No. 95-090 was enacted on April 11, 1995 and included the Major Maintenance to Civic Buildings Project;

AND WHEREAS City Council, on November 14, 1995, in adopting Section 4 of the 27th Report of the Finance and Administration Committee authorized an amendment to the 1995 Debenture Projects to decrease the authorized cost of the Major Maintenance to Civic Buildings Project;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" of By-law No. 95-090 is amended by removing the Major Maintenance to Civic Buildings Project and replacing it with the following:

SCHEDULE "A" TO BY-LAW NO. 95-090

	Project	Gross Cost	Subsidy Receipts	Capital Levy Financing	Net Debenture Authorization
9	Major Maintenance to Civic Buildings	$946,700	0	$63,000	$883,700

PASSED this day of , 1995.

CITY CLERK MAYOR

(1995) 27 R.F.A.C. 4, November 14

F. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 27 NOV 28 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: **1994 Debenture Projects and Amounts - Parkdale Arena and Inch Park Arena**

RECOMMENDATION:

That the attached By-law be enacted by City Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

City Council, on November 14, 1995 in adopting Section 4 of the 27th Report of the Finance and Administration Committee authorized the City Solicitor to prepare the attached By-law to increase the Parkdale Arena Retrofit Project and the Inch Park Arena Retrofit Project debenture amounts.

LEF:as

c.c. A. Ross, Treasurer
Attention: G. Keith

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend By-law No. 94-095

Regarding

1994 DEBENTURE PROJECTS AND AMOUNTS

WHEREAS By-law No. 94-095 concerning the 1994 Debenture Projects was enacted by Council on the 31st day of May, 1994 and contained the Inch Park Arena and Parkdale Arena Projects;

AND WHEREAS By-law No. 95-034, enacted on January 31, 1995, amended the debenture amount of each project to $1,886,500;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 12 of the 15th Report of the Finance and Administration Committee on October 11, 1994, authorized an amendment to By-law No. 94-095 concerning the Parkdale Arena Retrofit Project and the Inch Park Arena Retrofit Project debenture amounts;

AND WHEREAS Council on November 14, 1995 in adopting Section 4 of the 27th Report of the Finance and Administration Committee authorized a further amendment to the debenture amount for each project.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Paragraphs 14 and 15 of Schedule "A" to By-law 94-095, as amended, are repealed and replaced by the following:

	Project	Gross Cost	Reserve Financing	Debenture Amount	Term of Debenture
14)	Parkdale Arena	$2,321,650	$113,500	$2,208,150	20 years
15)	Inch Park Arena	$2,321,650	$113,500	$2,208,150	20 years

2. By-law No. 95-034 is hereby repealed.

PASSED this day of 1995.

CITY CLERK MAYOR

(1995) 27 R.F.A.C. 4, November 14

G.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 17 NOV 20 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Hamilton Firefighters Drum Corps Inc.
New Practice Facility Building - Dartnall Road

RECOMMENDATION:

That the brass slide rail removed 13 years ago during the demolition of the Sanford Avenue Firestation, be donated to the Firefighters Drum Corps Inc. to be used within their new practice facility building on Dartnall Road, Hamilton, which is soon to be ready for occupancy.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

As you are aware, the Hamilton Firefighters Drum Corps Inc., have entered into a 25 year land lease with the City. With the financial assistance of the City via a loan, together with substantial funds of the Drum Corps itself, a new practice facility building has been developed in this east Hamilton mountain location. The building will shortly be ready for occupancy.

Sometime ago in conversation with the President of the Corps I casually mentioned that approximately 13 years ago, our Department removed the brass slide pole rail from the former Sanford Avenue firestation, prior to the building being demolished, and that as far as I knew, it was still in storage in our workshop.

The President of the Corps recalled our conversation earlier this week and contacted me to ask if the City would see fit to donating this brass rail to the Corps to be used in their new building as a foot rest.

The brass rail we have in storage is approximately 26' in length and 2" in diameter. Since the rail was used in a former firestation as a slide pole, we believe its reuse in the Firefighters Drum Corps Building, which has its roots and origin from the Fire Department, to be appropriate. The pole has been sitting in storage for many years and we have no plans for its reuse. The value of the brass rail is approximately $250.00 if purchased in a new state.

DWV/dcr

c.c. Alderman H. Merling, Alderman, Ward 7
R. Swan, Manager, Building Operations & Maintenance Division
Attention: R. Desnoyers
R. Hayes, Senior Property Officer, Real Estate Division

H.(i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 November 30

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

SUBJECT: Schedule of Meetings for 1996 - Finance and Administration Committee

RECOMMENDATION:

That the Schedule of Meetings for 1996 for the Finance and Administration Committee, attached herewith, be approved.

Susan K. Reeder

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

FINANCE AND ADMINISTRATION COMMITTEE

SCHEDULE OF MEETINGS FOR 1996

Report titles to be listed in the "S" Directory by 5:00 o'clock p.m.	**Reports to be submitted to Committee Secretary by 12:00 o'clock noon.**	**Agenda Review Meetings @ 2:30 o'clock p.m. in Room 264, with the exception of those indicated with an "*" - in Room 219.**	**Committee Meetings @ 1:30 o'clock p.m. in Room 233.**	**City Council Meetings @ 7:30 o'clock p.m.**
January 12	January 15	*January 16	January 23	January 30
January 26	January 29	*January 30	February 6	February 13
February 9	February 12	*February 13	February 20	February 27
February 23	February 26	February 27	March 5	March 12
March 8	March 11	March 12	March 19	March 26
March 22	March 25	March 26	April 2	April 9
April 12	April 15	*April 16	April 23	April 30
April 26	April 29	April 30	May 7	May 14
May 10	May 13	May 14	May 21	May 28
June 7	June 10	June 11	June 18	June 25
June 21	June 24	June 25	July 2	July 9
August 9	August 12	August 13	August 20	August 27
September 6	September 9	September 10	September 17	September 24
September 20	September 23	September 24	October 1	October 8
October 11	October 15 **By 10:00 a.m.	October 15	October 22	October 29
October 25	October 28	October 29	November 5	November 12
November 8	November 11	November 12	November 19	November 26
November 22	November 25	November 26	December 3	December 10

**Due to the Thanksgiving Holiday on Monday October 14, please have your reports submitted no later than 10:00 a.m. on Tuesday, October 15.

H. (ii)

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1995 November 30th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Director of Information Systems - Payroll Processing Problem 1995 November 8th - report dated 1995 November 16th

Susan K. Reeder

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.




ACCO. USA
WHEELING, ILLINOIS 60090
25071
MADE IN USA
0 50505 25071 4
BLACK/NOIR/NEGRO

HAMILTON PUBLIC LIBRARY
3 2022 21334341 7